

EXHIBIT 15

**(Andy Erickson, Schwob Building
March 28, 2024, Deposition Transcript)**

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE: * Chapter 11
*
YELLOW CORPORATION, et al., * Case No. 23-11069 (CTG)
*
Debtors. * (Jointly Administered)
*
* Re. D.I. 2642 & 2645

ORAL DEPOSITION OF
ANDREW ERICKSON
MARCH 28, 2024

DEPOSITION of ANDREW ERICKSON,
produced as a witness at the instance of
Southeastern Freight Lines, and duly sworn, was
taken in the above-styled and numbered cause on the
28th day of March, 2024, from 8:00 a.m. to 3:39
p.m., before Christy R. Sievert, CSR, RPR, in and
for the State of Texas, reported by machine
shorthand, at the offices of Schwob Building
Company, LLC, 1350 Lakeshore Drive, Suite 160,
Coppell, Texas, pursuant to the Texas Rules of Civil
Procedure and the provisions stated on the record or
attached hereto.

<p style="text-align: right;">Page 2</p> <p>1 A P P E A R A N C E S</p> <p>2 (Appearing remotely)</p> <p>3</p> <p>4 FOR THE DEBTORS:</p> <p>5 MS. AMIRI A. LAMPLEY</p> <p>6 MS. ANDREA SHANG</p> <p>7 Kirkland & Ellis LLP</p> <p>8 300 North LaSalle</p> <p>9 Chicago, Illinois 60654</p> <p>10 312-862-2000</p> <p>11 amiri.lampley@kirkland.com</p> <p>12 andrea.shang@kirkland.com</p> <p>13</p> <p>14 FOR SOUTHEASTERN FREIGHT LINES:</p> <p>15 MR. BRETT D. FALLON</p> <p>16 MR. ALEC NOLAN WEINBERG</p> <p>17 Faegre Drinker Biddle & Reath LLP</p> <p>18 222 Delaware Avenue, Suite 1410</p> <p>19 Wilmington, Delaware 19801</p> <p>20 302-467-4200</p> <p>21 brett.fallon@faegredrinker.com</p> <p>22 alec.weinberg@faegredrinker.com</p> <p>23</p> <p>24 FOR THE CREDITORS COMMITTEE:</p> <p>25 MR. JEFFREY A. LATOV</p> <p> MR. KEVIN ZUZOLO</p> <p> Akin, Gump, Strauss, Hauer & Feld, LLP</p> <p> One Bryant Park</p> <p> Bank of America Tower</p> <p> New York, New York 10036</p> <p> 212-872-8088</p> <p> jlatov@akingump.com</p> <p> ALSO PRESENT:</p> <p> CLINT THOMAS, Exhibit Technician</p>	<p style="text-align: right;">Page 4</p> <p>1 E X H I B I T S</p> <p>2 NUMBER DESCRIPTION PAGE</p> <p>3 Exhibit 1 E-mail correspondence 31</p> <p> 3-4-21, Re: Tulsa, OK</p> <p>4 SEFL00000843 - 883</p> <p>5 Exhibit 2 Tulsa Estimate Summary 55</p> <p>6 Exhibit 3 Total Service Packaging, LLC 79</p> <p> Estimate</p> <p>7 SEFL00000827 - 829</p> <p>8 Exhibit 4 Tulsa Proposal Clarifications 97</p> <p> SEFL00000825 - 826</p> <p>9</p> <p>10 Exhibit 5 E-mail correspondence 99</p> <p> 3-14-24, Re: McAllen TX</p> <p> SEFL00000528 - 623</p> <p>11</p> <p>12 Exhibit 6 Photo 140</p> <p> SEFL00000679</p> <p>13 Exhibit 7 Photo 141</p> <p> SEFL00000682</p> <p>14</p> <p>15 Exhibit 8 Photo 141</p> <p> SEFL00000683</p> <p>16 Exhibit 9 Photo 141</p> <p> SEFL00000688</p> <p>17</p> <p>18 Exhibit 10 Photo 141</p> <p> SEFL00000692</p> <p>19 Exhibit 11 Photo 141</p> <p> SEFL00000694</p> <p>20</p> <p>21 Exhibit 12 Photo 141</p> <p> SEFL00000702</p> <p>22 Exhibit 13 McAllen Estimate Summary 145</p> <p> SEFL00000518</p> <p>23</p> <p>24 Exhibit 14 Bernal Paving & Maintenance 147</p> <p> Estimate Summary</p> <p> SEFL00000511 - 517</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1 I N D E X</p> <p>2 PAGE</p> <p>3 Appearances..... 2</p> <p>4 Exhibits..... 4-5</p> <p>5 Proceedings..... 6</p> <p>6 ANDREW ERICKSON:</p> <p>7 Examination by Mr. Fallon..... 7, 243</p> <p>8 Examination by Ms. Lampley..... 190</p> <p>9 Changes and Signature..... 248-249</p> <p>10 Reporter's Certification..... 250-251</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 E X H I B I T S</p> <p>2 (continued)</p> <p>3 NUMBER DESCRIPTION PAGE</p> <p>4 Exhibit 15 AEI Property Condition Report 154</p> <p> Yellow-Assumption 00019124 - 19275</p> <p>5 Exhibit 16 E-mail correspondence 170</p> <p> 3-14-24, Re: Fw: Odessa, TX</p> <p>6 SEFL00000720 - 744</p> <p>7 Exhibit 17 Odessa Estimate Summary 179</p> <p> SEFL00000719</p> <p>8</p> <p>9 Exhibit 18 Pavecon Proposal Package 180</p> <p> SEFL00000710 - 716</p> <p>10 Exhibit 19 Odessa Proposal Clarifications 183</p> <p> SEFL00000717 - 718</p> <p>11</p> <p>12 Exhibit 20 McAllen Proposal Clarifications 184</p> <p> SEFL00000509 - 510</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 6</p> <p>1 PROCEEDINGS</p> <p>2 THE STENOGRAPHER: Good morning.</p> <p>3 We're going on the record at 8:00 a.m.</p> <p>4 My name is Christy Sievert. I am with</p> <p>5 Veritext.</p> <p>6 We -- the case -- we are here in the</p> <p>7 case of Yellow Corporation, et al., Debtors, Case</p> <p>8 No. 23-11069 (CTG).</p> <p>9 The deponent today is Andrew Erickson.</p> <p>10 And we are in the offices of Schwob</p> <p>11 Building Company, LLC, located at 1350 Lakeshore</p> <p>12 Drive, Suite 160, in Coppell, Texas.</p> <p>13 (Oath administered.)</p> <p>14 THE STENOGRAPHER: All right. Thank</p> <p>15 you.</p> <p>16 Counsel, please introduce yourselves</p> <p>17 for the record.</p> <p>18 MR. FALLON: We have Brett Fallon and</p> <p>19 Alec Weinberg of Faegre, Drinker, Biddle & Reath</p> <p>20 LLP, and we represent Southeastern Freight Lines,</p> <p>21 LLC.</p> <p>22 MS. LAMPLEY: We have Amiri Lampley</p> <p>23 and Andrea Shang with Kirkland & Ellis, LLP, and we</p> <p>24 represent Yellow Corporation, the debtors in this</p> <p>25 matter.</p>	<p style="text-align: right;">Page 8</p> <p>1 A. Yes, sir.</p> <p>2 Q. And I am going to ask you a series of</p> <p>3 questions and ask that you understand the question.</p> <p>4 If for any reason you don't understand what is being</p> <p>5 asked, please indicate, and we will try to rephrase</p> <p>6 it. And the court reporter is going to take down</p> <p>7 all of my questions as well as all of your answers.</p> <p>8 Is there anything that would prohibit you</p> <p>9 from giving your true testimony today?</p> <p>10 A. No.</p> <p>11 Q. Okay. Let's start at the beginning. Can</p> <p>12 you describe your postsecondary education, please.</p> <p>13 A. I graduated from Luther College in 1995.</p> <p>14 After that, I went to -- while I was working, went</p> <p>15 to grad school, got my MBA at Southeastern Oklahoma</p> <p>16 State.</p> <p>17 Q. Okay. And when did you start in the</p> <p>18 construction -- when -- when did you start working</p> <p>19 in the construction business?</p> <p>20 A. Oh, early in college, 1993. So worked</p> <p>21 during the summers to put myself through college.</p> <p>22 Q. Okay. And you stated you graduated from</p> <p>23 Luther College in 1995. And then when did you</p> <p>24 attend Southeastern Oklahoma State University?</p> <p>25 A. I believe 1996 and did that as night</p>
<p style="text-align: right;">Page 7</p> <p>1 THE STENOGRAPHER: If there's no one</p> <p>2 else to introduce --</p> <p>3 MR. FALLON: Anybody else?</p> <p>4 THE STENOGRAPHER: Yeah. Go ahead.</p> <p>5 MR. FALLON: Were the unsecured</p> <p>6 creditors' committee going to announce their</p> <p>7 appearance?</p> <p>8 MR. ZUZOLO: We can announce our</p> <p>9 appearance. We're not intending on questioning the</p> <p>10 witness, but we'll -- we'll announce.</p> <p>11 It's Kevin Zuzolo and Jeff Latov from</p> <p>12 Aiken Gump Strauss Hauer & Feld on behalf of the</p> <p>13 creditors' committee.</p> <p>14 ANDREW ERICKSON,</p> <p>15 having been first duly sworn,</p> <p>16 testified as follows:</p> <p>17 EXAMINATION</p> <p>18 BY MR. FALLON:</p> <p>19 Q. Okay. All right. Mr. Erickson, have you</p> <p>20 ever been deposed before?</p> <p>21 A. Yes, sir.</p> <p>22 Q. How many times?</p> <p>23 A. I would say once or twice. Twice, maybe.</p> <p>24 Q. Okay. So we'll just go over some ground</p> <p>25 rules. So you realize that you're under oath today?</p>	<p style="text-align: right;">Page 9</p> <p>1 school. Took me a couple years so would have</p> <p>2 graduated, I believe, in '97, '98.</p> <p>3 Q. Okay. And what -- what -- did you obtain a</p> <p>4 degree from Southeastern Oklahoma State University?</p> <p>5 A. I did. Yes, sir.</p> <p>6 Q. And what was that degree?</p> <p>7 A. A master's in business administration.</p> <p>8 Q. Okay. Was there any particular focus</p> <p>9 during your MBA program?</p> <p>10 A. Yeah, it was in -- my focus was in</p> <p>11 management. I think they had a couple other</p> <p>12 disciplines: Finance, marketing, and mine was</p> <p>13 specific management.</p> <p>14 Q. Okay. And you said that you went to night</p> <p>15 school at Southeastern Oklahoma State University; is</p> <p>16 that correct?</p> <p>17 A. Yes, sir.</p> <p>18 Q. So you were working during the day,</p> <p>19 presumably?</p> <p>20 A. Yes, sir.</p> <p>21 Q. And what -- what type of work were you</p> <p>22 doing during the day?</p> <p>23 A. I was working for a -- a general contractor</p> <p>24 by the name of Mitchell, Mitchell Enterprises, who</p> <p>25 hired me shortly out of college. I worked for them</p>

<p style="text-align: right;">Page 10</p> <p>1 in -- during my summers while I was in college, and</p> <p>2 then I did an internship with them. We were on a</p> <p>3 4/1/4 semester where we had J-term breaks, and so I</p> <p>4 did a -- a -- for two years before I graduated a --</p> <p>5 a January term. Instead of taking a class, I did a</p> <p>6 internship with them, and then they hired me</p> <p>7 shortly -- shortly out of college.</p> <p>8 Q. Okay. So you were working full-time for</p> <p>9 Mitchell Enterprises upon graduation from college?</p> <p>10 A. Yes, sir. Yes.</p> <p>11 Q. And what -- what did -- what would -- did</p> <p>12 you do at Mitchell and what was your title?</p> <p>13 A. I started off as a -- in estimating as an</p> <p>14 estimator. It was kind of a smaller shop. I did</p> <p>15 estimating assistant/project management, and over</p> <p>16 the course of a few years, I worked myself up to --</p> <p>17 to a -- as a project manager, but we still had</p> <p>18 estimating responsibilities as a project manager.</p> <p>19 Q. And so approximately, what years was this?</p> <p>20 A. This would have been '96 through -- a</p> <p>21 four-year period. I guess -- graduated in '95, so</p> <p>22 '95 through '99.</p> <p>23 Q. Okay. So do you have any sense or could</p> <p>24 you give us a -- a -- a sense of how many projects</p> <p>25 you estimated, how many construction projects you</p>	<p style="text-align: right;">Page 12</p> <p>1 which is out at the Naval Joint Reserve Base in Fort</p> <p>2 Worth. That would be a specific example. I think</p> <p>3 towards the end of my tenure, I was also involved</p> <p>4 in, I'd say -- during my time there, I was involved</p> <p>5 in a project down on the border in Weslaco for</p> <p>6 the -- for the USDA, a subtropical agriculture</p> <p>7 research lab.</p> <p>8 Q. Okay. And so you did that from about 1995</p> <p>9 to 1999?</p> <p>10 A. Yes, sir.</p> <p>11 Q. And then what did you do after your time at</p> <p>12 Mitchell Enterprises?</p> <p>13 A. I came to -- I was looking to get out of</p> <p>14 the public works world and move out of Sherman,</p> <p>15 Texas, and get to a -- get to the bigger city, to</p> <p>16 Dallas, and joined a -- joined Schwob Building</p> <p>17 Company. They did more design/build-type work. We</p> <p>18 get involved in the design side, much more the</p> <p>19 preconstruction side, so it's not just estimating</p> <p>20 but defining, developing scope. So that was my next</p> <p>21 stint, and I'm still here. Nobody's fired me yet,</p> <p>22 so. . .</p> <p>23 Q. Okay. What was your -- what was your title</p> <p>24 when you first joined Schwob -- Schwob?</p> <p>25 A. Yeah, project manager.</p>
<p style="text-align: right;">Page 11</p> <p>1 managed, that sort of thing?</p> <p>2 A. Yeah, sure. You have me thinking a long</p> <p>3 time ago here so bear with me. We're an hour</p> <p>4 earlier than you. I was involved in dozens of</p> <p>5 estimates. Again, we were -- dozens of estimates I</p> <p>6 was involved in during the course of those four</p> <p>7 years. As far as assistant project manager, I would</p> <p>8 say a half a dozen projects. In project management,</p> <p>9 I was involved in three or four, I think, projects</p> <p>10 my last year that I was there, year and a half.</p> <p>11 Q. Okay. And what -- what type of</p> <p>12 construction did they do?</p> <p>13 A. Yeah, they did -- they did a lot of public</p> <p>14 works-type projects. So we were involved in Corp of</p> <p>15 Engineers projects, Naval stuff like NAVFAC, AFIS.</p> <p>16 They did some schools, involved in schools. So a</p> <p>17 lot of public work -- government and public</p> <p>18 works-type projects.</p> <p>19 Q. Okay. You said schools?</p> <p>20 A. Yes, sir.</p> <p>21 Q. And you -- you gave a couple acronyms</p> <p>22 there. NAVFAC, what -- what was that?</p> <p>23 A. That's the Naval -- for Naval facilities.</p> <p>24 For example, a project that I was involved in as the</p> <p>25 project manager was the 10th Air Force headquarters,</p>	<p style="text-align: right;">Page 13</p> <p>1 Q. And when you said you got more involved in</p> <p>2 preconstruction and design and scope, what --</p> <p>3 what -- what do you mean by that?</p> <p>4 A. Yeah, sure. No, good question. So as a</p> <p>5 project manager, Schwob was a much smaller company</p> <p>6 than what it is today, and they allowed me to get</p> <p>7 involved in -- unlike public works where you're</p> <p>8 going out and you're, you know, speaking to people</p> <p>9 in the private market and, you know, putting</p> <p>10 together proposals -- and so it's kind of a -- a</p> <p>11 cradle-to-grave approach, right, where I was</p> <p>12 involved in, you know, pursuing and finding</p> <p>13 customers and then helping develop that scope, put</p> <p>14 together the pricing, put together the estimates,</p> <p>15 and -- and then once that project was signed up,</p> <p>16 actually be the project manager and follow it</p> <p>17 through fruition. And I did that on -- on multiple</p> <p>18 projects during my -- my time as a project manager</p> <p>19 at Schwob.</p> <p>20 Q. Okay. So if I understand you correctly,</p> <p>21 then, as a project manager, you're -- you're not</p> <p>22 just managing the projects, you're really -- as you</p> <p>23 said, take it from cradle to grave and finding</p> <p>24 the -- the client, defining the scope, estimating,</p> <p>25 and then actually doing the project; is that fair?</p>

<p style="text-align: right;">Page 14</p> <p>1 A. That -- that's correct, yes.</p> <p>2 Q. How long were you a project manager for</p> <p>3 Schwob?</p> <p>4 A. For about four years.</p> <p>5 Q. And do you have a sense of how many</p> <p>6 projects you estimated and how many projects you --</p> <p>7 you worked on as a -- well, construction projects</p> <p>8 that you actually were out there on-site working as</p> <p>9 a project manager?</p> <p>10 A. Yeah. As a clarification, I wasn't on-site</p> <p>11 as a project manager. You know, our -- as a project</p> <p>12 manager, our -- I worked out of the office, I mean,</p> <p>13 obviously made site visits, but our -- our field</p> <p>14 superintendents are -- are the ones that are on a</p> <p>15 day-to-day basis.</p> <p>16 But, no, it would -- it would be probably</p> <p>17 about a dozen during that four-year span, you know,</p> <p>18 ten to 12.</p> <p>19 Q. Ten to 12 projects. And then how many</p> <p>20 estimations did -- did you do? Would you be able to</p> <p>21 hazard a -- an approximation?</p> <p>22 A. Well, those ten to 12 for sure, obviously,</p> <p>23 but probably another ten, which means that I did --</p> <p>24 I wasn't successful with those ten. 20 -- it's a</p> <p>25 50 percent batting average. I'll -- I'll take that.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Okay. And how many years did you do that?</p> <p>2 A. For about three. About three.</p> <p>3 Q. Okay. So that was roughly 2004 to 2007?</p> <p>4 A. Yeah, it -- similar responsibilities as</p> <p>5 mine as a project manager. The only difference was</p> <p>6 I wasn't running -- I wasn't doing the day-to-day</p> <p>7 project management functions, but I was</p> <p>8 overseeing -- overseeing the project managers that</p> <p>9 still that were involved with my customers, you</p> <p>10 know, making sure that the right decisions were</p> <p>11 being made, we were treating them fairly, and</p> <p>12 getting projects done on time, and developing</p> <p>13 high-level quality and. . .</p> <p>14 Q. Yeah.</p> <p>15 So is it fair to say in your -- in your --</p> <p>16 your job in construction development, it's more on</p> <p>17 the front end, really?</p> <p>18 A. As far as during the construction</p> <p>19 development or the experience --</p> <p>20 Q. Yeah.</p> <p>21 A. For -- yes.</p> <p>22 Q. Well, I -- I'm just -- just trying to</p> <p>23 understand what the -- your primary --</p> <p>24 A. Yes.</p> <p>25 Q. -- responsibilities were during this time</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Well, so when you say "not successful,"</p> <p>2 you -- you mean you didn't get the job --</p> <p>3 A. Correct.</p> <p>4 Q. -- is that correct?</p> <p>5 A. That's correct. I think in -- in our</p> <p>6 business, if you get them all, you've got a problem.</p> <p>7 But. . .</p> <p>8 Q. Okay. All right. So you said you did that</p> <p>9 for four years. So are we up to about 2004?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And then what -- what did you do</p> <p>12 after that?</p> <p>13 A. I -- I moved into construction development,</p> <p>14 which is maybe a fancier term for business</p> <p>15 development, and as a part of those</p> <p>16 responsibilities, I was still pursuing and seeking</p> <p>17 customers, but I was still involved in putting --</p> <p>18 putting together estimates, overseeing estimates</p> <p>19 with our preconstruction department with our chief</p> <p>20 estimator. So I worked day in and day out involved</p> <p>21 with estimating, developing scope, putting together</p> <p>22 proposals.</p> <p>23 Q. And did you have a new title at this time?</p> <p>24 A. That was the -- the title, is construction</p> <p>25 development.</p>	<p style="text-align: right;">Page 17</p> <p>1 period.</p> <p>2 A. Yes, I -- yes.</p> <p>3 Q. So -- so it -- it sounds like it was more</p> <p>4 on the front end, although you also still oversaw</p> <p>5 the back end; is that fair?</p> <p>6 A. That's right, yes.</p> <p>7 Q. And so you did that until -- from 2004 to</p> <p>8 2007, and then what did you do after that?</p> <p>9 A. In 2007, I was promoted to vice president</p> <p>10 of the business and made a partner.</p> <p>11 Q. And then what were your responsibilities as</p> <p>12 vice president and partner?</p> <p>13 A. I was still responsible for bringing in</p> <p>14 business. I still brought in the -- the lion's</p> <p>15 share of the business, overseeing the</p> <p>16 preconstruction, the estimating. So, I mean, a lot</p> <p>17 of it was still the front-end stuff. I had the</p> <p>18 added responsibility of -- a little bit more</p> <p>19 operational responsibilities, at that point early</p> <p>20 on, learning the other facets of the business that I</p> <p>21 didn't understand, you know, the financials, the</p> <p>22 accounting side, the insurance. But, you know, the</p> <p>23 core mission for me was -- was and -- and has been,</p> <p>24 you know, developing customers and -- and being</p> <p>25 involved in -- in the preconstruction process.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q. Okay. And how many years were you vice 2 president and partner? 3 A. I was promoted to president in 2014 so I 4 took the president title in 2014, and -- which had 5 some additional responsibilities but still -- was 6 still involved in the generation of -- of customers; 7 maintaining existing customers; you know, overseeing 8 the various proposals that were going out for my 9 existing customers, the estimates that were going 10 out; overseeing other estimates for other projects, 11 other customers. 12 Q. Okay. And I -- I realize we're probably 13 going back a little, but just trying to get a sense 14 of the size and number of projects that -- that 15 Schwob was doing in this 2007 to 2014 period. 16 I mean, can -- can you give us any sense 17 of, you know, how big the projects were? I don't 18 know if the gross revenue or number of projects, 19 value of projects -- can you give us any sense of -- 20 of the size of Schwob and -- and its -- its -- the 21 company and its projects? 22 A. Yeah, sure. When I first joined Schwob, 23 they were doing roughly 20 or \$30 million, just for 24 clarification, back in early 2000s, early 2000. 25 Going into 2007, you know, I believe the business</p>	<p style="text-align: right;">Page 20</p> <p>1 historically and currently don't do retail work or 2 public works. So that's -- what I just described 3 has -- has kind of been our fairway. 4 Q. Yeah. 5 So -- and just to clarify, so we've been 6 talking about Schwob Building Company, LLC; is that 7 correct? 8 A. That's correct, yes, sir. 9 Q. Okay. And there are some affiliated 10 companies, Erickson Companies and Schwob Steel 11 Services; is that correct? 12 A. Yes, sir. 13 Q. Can you explain the relationship between 14 those companies and -- and sort of when -- when 15 Erickson and -- and Schwob Steel came into the 16 picture and what their role is. 17 A. Schwob Building Company was Schwob Building 18 Company Limited up until, oh, I want to say, four 19 years ago, and our -- our -- our Steel Services and 20 our Building Company were all one company. I 21 separated those off -- again, it's been four or five 22 years ago. I -- I separated them off into Schwob 23 Building Company, LLC; Schwob Steel Services, LLC. 24 It's two separate companies because they 25 fundamentally do different type of work.</p>
<p style="text-align: right;">Page 19</p> <p>1 had grown to, you know, 55 million. 2 Q. And this is gross? 3 A. Yeah. 4 Q. Is it 55 million gross? 5 A. Yeah, gross revenue. And I believe, you 6 know, for us, 2007 to 2011, the financial crisis was 7 an interesting time. We stayed successful. We 8 were -- during that time, I think we were still 9 averaging 75 -- we still -- still grew to 75 -- 10 doing 75 to \$80 million worth a year. We had -- I 11 had changed our business from -- early 2000s to a 12 local contractor to a traveling contractor, so it 13 allowed us -- afforded us the opportunity to travel 14 with our customers. During the financial crisis, 15 that allowed us to serve various places through the 16 country and -- and stay busy. 17 Q. And what was the type of construction you 18 were doing? Was this industrial, commercial, 19 residential -- 20 A. Yeah, it's a lot of industrial-type 21 projects, a lot of service -- maintenance 22 facilities, freight facilities, truckload, LTL, 23 light manufacturing. We historically have -- we did 24 some dealerships. That would be as close to our 25 retail component. But other than that, we really</p>	<p style="text-align: right;">Page 21</p> <p>1 Schwob Steel Services is a 2 provide-and-erect steel contractor. They do complex 3 heavy -- heavy structure-type work, hybrid-type work 4 where we use a combination of preengineered and 5 conventional steel products, and, you know, we 6 design them and -- and -- and build them. And so -- 7 and that -- and that group historically works 8 directly for general contractors, typically large 9 general contractors, you know, billion-dollar 10 general contractors. 11 And Erickson Companies is merely the 12 management group. Since -- since we have these two 13 companies, it's kind of a shared services group, I 14 guess. And so for all the accounting, the human -- 15 HR, all those services, we basically parlay out 16 those. Erickson has those employees, and then the 17 costs are assessed back to Building Company and back 18 to Schwob Steel Services for those services. 19 So, for example -- it varies a little bit 20 per year based on -- on the usage of those resources 21 or based on each company's volume, but -- for 22 example, you know, it'd be -- most of the time, it's 23 fairly close to a 50/50 split for those resources. 24 So that's -- that's the intent of that. 25 Just it's -- we're all in the same building, so we</p>

<p style="text-align: right;">Page 22</p> <p>1 don't need two -- you know, we -- we don't need two 2 controllers, for example, we don't need two HR 3 people. So anyway. I hope that makes sense. 4 Q. Okay. Okay. So I think we had gotten to 5 the point where you were promoted president in 2014. 6 We talked about your responsibilities. 7 And has -- has your title or 8 responsibilities changed since 2014? 9 A. Yes, they have. I -- I became the sole 10 owner here back in -- four years ago, I bought out a 11 second-generation Schwob family member and became 12 the owner of Schwob Building Company, and then I 13 believe three years ago, I bought out that partner 14 out of Schwob Steel Services, that same individual. 15 I brought in -- I brought in -- since that time have 16 brought in another partner into Schwob Building 17 Company. But essentially, I've become the president 18 and CEO of -- of -- of both groups and -- but more 19 than anything, just the big ownership change. 20 Q. And are -- are you still -- well, tell us 21 what your involvement is in -- in estimating and 22 construction really from 2014 up to the present. 23 A. Yeah. So specifically for Building 24 Company, I do not get -- I do not get involved in 25 estimates that often with our Steel Services group,</p>	<p style="text-align: right;">Page 24</p> <p>1 A. That's correct. 2 Q. And then -- so you're here today pursuant 3 to those subpoenas? 4 A. Yes, sir. 5 Q. Okay. And then you said your -- your 6 office, it's -- it's in the Dallas, Texas, area? 7 A. That's correct, yes. 8 Q. And then you reside in the Dallas, Texas, 9 area as well? 10 A. Yes. 11 Q. Okay. In the ordinary course of your 12 business, do you travel within 100 miles or -- you 13 know, why don't we even say 150 or 200 miles of 14 Wilmington, Delaware? 15 A. No. 16 Q. Have you ever been to Wilmington, Delaware? 17 A. I have not. 18 Q. Okay. Okay. So just looking over your 19 construction experience, it looks like at this 20 point, you're pushing 30 years of construction 21 industry experience? 22 A. Yeah. Yes. 23 Q. Okay. Let's turn to some of the properties 24 at issue here. 25 Were you asked to visit certain properties</p>
<p style="text-align: right;">Page 23</p> <p>1 but on the -- on our Building Company side, I still 2 review estimates. I do not -- I -- I don't 3 generally put them together, but I review the 4 estimates that are going out the door that our 5 estimators are putting together to verify -- look at 6 scope, make sure scope's covered; make sure that, 7 you know, the numbers seem to be in line because, 8 again, we're turning in proposals to, you know -- 9 in -- in -- in most cases to, you know, current 10 customers so you want to make sure the estimate's 11 fair, that the items that need to be covered, the -- 12 that -- the scope is generally right and the dollars 13 appear to be right. 14 I do -- I do site assessments. I still do 15 that, you know, visiting sites, helping determine 16 scope. It's just something that I've always done, 17 and, quite frankly, it's one of the more enjoyable 18 things that I get to do for -- on a day-to-day basis 19 compared to some of the other responsibilities. 20 Q. Okay. Let me just ask you -- and you 21 received a subpoena from Southeastern Freight Lines 22 prior to this deposition; is that correct? 23 A. Yes, sir. 24 Q. And then you received a subpoena from the 25 debtors also; is that correct?</p>	<p style="text-align: right;">Page 25</p> <p>1 owned by Southeastern Freight Lines, LLC? 2 A. Yes, sir. 3 Q. And which properties did you visit? 4 A. We visited McAllen, Odessa, and Tulsa. 5 Q. Okay. And what was the purpose of the 6 visit to these properties? 7 A. To do a -- a site assessment, review the 8 facilities for the condition, damage. You know, 9 mainly to assess the -- the current condition of -- 10 of the three buildings. 11 Q. And -- and were you also asked to assess 12 the areas around the buildings? 13 A. Yes, sir. 14 Q. And generally, what type of inspection did 15 you do? 16 A. We did a, I mean, what I would call a site 17 walk. You know, walked the site, walked inside 18 throughout the building, around the building, around 19 the site, around the fence line, the -- you know, 20 walked the site. 21 Q. Okay. And you did that for each of the 22 properties that you referred to? 23 A. Yes, sir. 24 Q. And was anyone there from Southeastern 25 Freight that also participated in the walkthroughs?</p>

<p style="text-align: right;">Page 26</p> <p>1 A. Yes, Tom Herndon. 2 Q. Okay. Let's turn to Tulsa, Oklahoma. 3 Do you recall when you visited the 4 Tulsa -- and I'll refer to the Tulsa, Oklahoma, site 5 as the Tulsa property. 6 Do you recall when you visited the Tulsa 7 property? 8 A. Yeah. We went on -- it was, I believe -- 9 that would have been on March 7th. Is that a 10 Thursday? I can look. Yes. 11 Q. March 7th, Thursday. Yeah. 12 A. March 7th. Yes, the 7th. 13 Q. Okay. 2024? 14 A. Yes, sir. 15 Q. Okay. And we're -- we're going to get 16 into a lot of -- a -- a lot more detail, but maybe, 17 you know, just give us a, you know, 50,000-foot 18 view, so to speak, what -- what you saw when you 19 were there, and -- and then we'll go into a little 20 more detail. 21 A. Yeah, sure. The Tulsa site was -- had 22 been -- I -- I think the most -- the -- the unique 23 thing about that compared to the other two sites was 24 I guess the site had been vandalized. The 25 electrical had been vandalized. It appeared that</p>	<p style="text-align: right;">Page 28</p> <p>1 inspection of the exterior of the building at the 2 dock. But. . . 3 Q. Okay. Well, let -- let me -- let me stop 4 you there because I think we'll be getting in -- 5 into more of that. No, I appreciate that. 6 Let me ask just generally -- because you 7 had mentioned that the -- the site was vandalized 8 and the electrical pulled out of conduits. 9 So if I am understanding that correctly -- 10 was -- was there any electrical power in the 11 building? 12 A. No. No, the building is not -- is 13 incapable of being energized at this point. 14 Q. And -- and -- and that's because all the 15 wiring was -- was pulled out? 16 A. Yes, sir. 17 Q. Do -- do you know why vandals would pull 18 out the wiring? 19 A. I mean, I'm guessing that, you know, 20 they're -- they're -- they're trying to get the 21 copper -- the copper out of the wire to use that and 22 take it for the salvage value. So -- I don't know 23 how much salvage value is in copper, but 24 unfortunately, it's something that we see from time 25 to time. I would imagine that had somebody just</p>
<p style="text-align: right;">Page 27</p> <p>1 all the electric had -- the wires had been pulled -- 2 pulled out of conduits, pulled out of site lighting 3 conduits. Secondary feeders or secondary wires had 4 been pulled. Again, that -- that's unique to the 5 other two from what we observed. 6 But the site was -- there was some 7 selective damage on -- on perimeter site fencing. 8 There was a -- I mean, that's probably not a 9 50,000-foot view, but, you know, the asphalt paving 10 had issues on the surface. The -- the office was -- 11 definitely had some issues. The dock itself was in 12 relatively -- it was not in bad shape. It was in 13 decent shape. As far as the -- the canopies, there 14 were some canopies that were damaged from -- from 15 some trailers, the shorter trailers, the pup 16 trailers, that had nosed up and -- and -- from being 17 loaded -- loaded too heavy in the back, and -- and 18 the landing gear or the axles were in the wrong 19 position and it flips the trailer up to the front. 20 So we had some damaged canopy. 21 You know, it was difficult to get up along 22 the perimeter of the building. Yellow still has 23 trailers parked in -- that specific one had trailers 24 parked around the entire perimeter, so it was very 25 difficult, I mean, virtually impossible, to do an</p>	<p style="text-align: right;">Page 29</p> <p>1 went and worked at a real job that evening, they 2 might have made just as much as what they got out -- 3 of that building, but. . . 4 Q. Okay. So can -- can you make any general 5 statements about buildings that -- that don't have 6 power? 7 A. Yeah. I mean, you know, buildings are -- 8 obviously, during the construction phase, you know, 9 we get to a certain point when we build a building 10 that we need power to properly put in finishes. You 11 know, if you're putting in -- and when I say 12 "finishes," I'm talking about office finishes and, 13 you know, drywall, painting, millwork, flooring. 14 And in an unconditioned space, when a -- when a 15 space is finished and -- and it's left 16 unconditioned, it's susceptible to, in -- I think in 17 the case of Tulsa, you know, freezing. It's 18 susceptible to humidity, moisture, which is not good 19 for millwork. It's -- you know, if things freeze, 20 we have -- you have fire sprinkler systems that, you 21 know, could be damaged. It's -- it's -- it's -- 22 it's not a -- it's not a good deal. I mean, anybody 23 that's ever lost power at their house and had a 24 freeze may -- may appreciate it, but. . . 25 Q. So when you say it's unconditioned, you</p>

<p style="text-align: right;">Page 30</p> <p>1 mean there's no heat, no -- no cooling, no humidity 2 control? Is that what you're referring to? 3 A. Yeah, that's correct. And in this case, 4 just for what it's worth, the air-conditioning units 5 were all removed as well, so even if somebody were 6 to turn power on, it's -- it's missing -- it's -- 7 it's missing those components as well. 8 Q. Okay. 9 A. And I -- I -- I do have a question. 10 Q. Sure. 11 A. I -- I've got this -- this packet here, but 12 there was a revised proposal on Tulsa that was 13 submitted yesterday. 14 Q. Yes. Yes. We've received that, and we 15 provided that to the debtors, and we -- we can talk 16 more about that when it becomes relevant. 17 A. Okay. 18 Q. But, yes, we -- we have that. 19 A. Okay. 20 Q. Why don't we start -- we'll -- we'll take a 21 look at some pictures. 22 MR. FALLON: And I will ask the court 23 reporter to pull up documents Bates stamped SEFL 843 24 through 883 and ask that the court reporter mark 25 that -- those pictures as Erickson Exhibit 1.</p>	<p style="text-align: right;">Page 32</p> <p>1 before? 2 A. Yes, I took them. 3 Q. Or at least this picture? 4 A. Yes. 5 Q. I'm sorry. Go ahead. 6 A. Yeah, yes. 7 Q. And -- and what -- what -- what is this 8 exhibit? 9 A. That's in their -- that's in the office 10 space in Tulsa. 11 Q. Okay. And -- and -- and is your e-mail 12 address Erickson@Schwob.com? 13 A. Yes, sir. 14 Q. Okay. Who took the -- this picture? 15 A. I took it. 16 Q. Okay. And is this photo a true and 17 accurate representation of what you saw during your 18 visit to the Tulsa property? 19 A. Yes. 20 MR. FALLON: So I'll ask the court 21 technician to page through 843, 844, and 845. 22 BY MR. FALLON: 23 Q. And if you can describe what's in each of 24 those pictures. 25 A. I'm sorry, are you asking me to describe</p>
<p style="text-align: right;">Page 31</p> <p>1 THE STENOGRAPHER: Where -- were 2 these -- I don't have any documents. 3 Is it something that you were 4 provided? 5 THE WITNESS: I was provided. 6 THE STENOGRAPHER: Okay. So is it 7 in a notebook that was provided to the witness, 8 then? 9 MR. WEINBERG: Okay. Why -- why don't 10 we go off the record. 11 (Break taken, 8:50 a.m. to 8:54 a.m.) 12 MR. FALLON: All right. I would ask 13 the technician to pull up and the court reporter to 14 mark as Erickson Exhibit 1, the documents Bates 15 stamped SEFL, series of 0s, 843 to SEFL, series of 16 0s, 883. 17 (Exhibit No. 1 marked.) 18 MR. FALLON: And I see that they are 19 up on the screen. And I don't know if you can focus 20 in on -- on the picture itself. That may be helpful 21 for the witness. 22 But let me -- let me ask the -- the 23 witness, and -- and the witness also. . . 24 BY MR. FALLON: 25 Q. Have you -- have you seen these pictures</p>	<p style="text-align: right;">Page 33</p> <p>1 it? 2 Q. Yes, please. 3 A. Yeah. I mean, what we're looking at is a 4 building that's -- inside that appears not to have 5 been maintained. The wall surfaces are dirty, 6 chipped up, dinged up. The floor surfaces are -- 7 appear to have not been maintained, waxed, taken 8 care of, extremely dirty -- I mean, not just dirty, 9 stained. We have areas of the floor that, I mean, 10 the -- the -- the surface of the -- the VCT tile is 11 completely worn off. You'll see in some of those 12 photos light gray areas that almost look faded on 13 the floor where it's been worn completely through 14 the -- the top layer of the -- the floor tile. So, 15 you know, I don't know if that's from people not 16 putting floor mats underneath their rolling chairs, 17 but, I mean, it's -- there's floor boxes that are 18 randomly everywhere. Ceiling tiles are in disarray, 19 missing, stained. Just it's -- it hasn't been taken 20 care of. 21 Q. Okay. And so with respect to the floor, is 22 that something that could just be cleaned and 23 repolished to -- to make it good and safe? 24 A. No. 25 Q. And why not?</p>

<p style="text-align: right;">Page 34</p> <p>1 A. I mean, it -- the surface is worn off in 2 certain areas, and there's areas where it's severely 3 stained that it's -- it's not -- with proper 4 maintenance on an annual basis, I mean, it possibly 5 could not have been an issue. That's not the case 6 here. And, no, I mean, you could never, in my 7 opinion, restore that floor. 8 MR. FALLON: Let me ask the -- 9 BY MR. FALLON: 10 Q. And -- and 843 to 845 are accurate pictures 11 of -- of what you saw when you were at the Tulsa 12 property? 13 A. Yes. 14 Q. Is that a yes? 15 A. Yes. 16 Q. Okay. Sorry, sometimes I can't hear. 17 Okay. Let me ask you to look at 846 and 18 847. And what are those pictures? 19 A. You know, that appears to be a conference 20 room. That one does not -- that one has a -- carpet 21 tiles in it. They're stained, discolored. The 22 walls are dirty, grimy, same issue. The -- the -- 23 the ceiling tiles are -- some areas have staining. 24 In some areas the ceiling tiles are sagging. That 25 may be from the lack of -- an unconditioned building</p>	<p style="text-align: right;">Page 36</p> <p>1 this one has -- has carpet in it. 2 Q. Okay. Let me ask you to turn to SEFL 848 3 and 849. 4 A. Yeah. I mean, you know -- 5 Q. And -- go -- go ahead. 6 A. Yeah. 7 Q. Can you describe what -- what those 8 pictures show. 9 A. You know, they look like somebody 10 paratrooped through the roof, but, you know, I -- I 11 don't -- it's hard to tell if that's from the 12 vandalism. You know, I -- I don't know what 13 contributed to that. But the ceiling tiles are -- 14 have all been -- have fallen out. It could be from 15 the vandalism. It could be from the fact that the 16 building wasn't energized and, you know, a sprinkler 17 leaked and -- and, you know, water got down on the 18 ceiling tiles and -- and busted -- you know, they -- 19 they sagged and -- and cracked and broke and fell. 20 But you can see the ceiling's in disarray, you know, 21 the same thing. I think that's -- that floor right 22 there is a concrete floor. I don't know if 23 that's -- that may be carpet. I'm trying to 24 remember what -- but, you know, the walls are grimy, 25 dirty, just in -- in bad shape.</p>
<p style="text-align: right;">Page 35</p> <p>1 space. Same thing with -- with the carpet, you get 2 an unconditioned space that hasn't been heated or 3 cooled and so, you know, smells of -- of must. I -- 4 you know, kind of the musty, moldy smell. But, you 5 know, wall surfaces are, you know, chipped, haven't 6 been maintained similar to the other room we just 7 looked at, but this one has carpet in it. 8 Q. Okay. 9 A. Same thing here, I mean, you can see -- 10 Q. I -- 11 A. Go ahead. I'm sorry. 12 Q. Go ahead. 13 A. Same thing here -- 14 Q. So when you say "here," we're looking now 15 at SEFL 847? 16 A. Yeah. I mean, this one -- 17 Q. Go ahead. 18 A. This one's got carpet as well. You can see 19 floor staining, various stains. You can see the 20 floor. You know, I don't know if that's a -- if 21 that's the terminal manager's office or whose it 22 was, but it's -- you know, the walls are, again, 23 dirty, grimy. Ceiling tiles are somewhat in 24 disarray. You know, pretty indicative of the rest 25 of the building with the exception that, you know,</p>	<p style="text-align: right;">Page 37</p> <p>1 Q. Can you fix that ceiling by just painting 2 or putting the tiles back together? 3 A. No, because the ceilings in that area, I 4 mean, have -- it's a ceiling tile system with 5 ceiling grids, and those grids get damaged and you 6 have go in and start pulling out the -- the ceiling 7 grid, the double Ts, and find a place -- find 8 another demising wall to connect it to. And -- and 9 the problem is once you start, you've got an old 10 ceiling tile grid system versus a new one. It's -- 11 it's -- it's kind of a hard deal to find a starting 12 and stopping point without it looking completely 13 obvious. You know, grids -- ceiling grids will 14 start to yellow over time, over years, and so when 15 you start replacing them with new materials, it -- 16 they look very dissimilar. In a lot of cases, 17 they just -- based on manufacturing differences 18 over the years, you just -- you can't get them to 19 connect. 20 Q. Hey, let me -- and 848 and 849 are accurate 21 representations of what you witnessed at the 22 property? 23 A. Yes, sir. 24 Q. Let me ask you to take a look at Bates 25 Numbers 852 through 854 and ask if you can describe</p>

<p style="text-align: right;">Page 38</p> <p>1 what is shown in those pictures.</p> <p>2 A. It was difficult to get good photos in</p> <p>3 there. It was a very dark space, no windows --</p> <p>4 that's a -- that's a restroom -- you know, with the</p> <p>5 building not having power. But, you know, we've got</p> <p>6 damaged ceiling tile again. There's a piece of PVC</p> <p>7 pipe laying on the ground. I don't know why or</p> <p>8 where -- if that was pulled out of the ceiling.</p> <p>9 Again, the building's utilities at this point are --</p> <p>10 are -- are shut off. So -- but I -- I guess it's --</p> <p>11 I -- I would guess that was attributed to the</p> <p>12 vandalism, somebody getting up in the ceiling and --</p> <p>13 and -- but I -- I -- I don't know where that piece</p> <p>14 of PVC pipe would have come from. It's -- it's not</p> <p>15 good.</p> <p>16 Q. And is it fair to say that this needs to be</p> <p>17 replaced?</p> <p>18 A. Yeah, it needs -- when you figure out where</p> <p>19 it came from and -- yeah, then -- yeah, but it needs</p> <p>20 to, I guess, be replaced. Something up in the -- in</p> <p>21 the -- in the ceiling likely has an issue.</p> <p>22 Q. And does -- does the ceiling tile in these</p> <p>23 pictures need to be replaced as well?</p> <p>24 A. Yeah. I mean, again, that's a -- you can</p> <p>25 see it's not as simple as just cutting out that</p>	<p style="text-align: right;">Page 40</p> <p>1 they burned it out, but I'm guessing it's from a</p> <p>2 rolling chair.</p> <p>3 But, you know, we've got things seeping</p> <p>4 through the wall. You can see it on the left side</p> <p>5 down -- I -- I don't even, you know, begin to know</p> <p>6 where that's coming from. I hope that's not</p> <p>7 indicative of a water leak, you know, some sort</p> <p>8 of -- you know, coming down through the wall and --</p> <p>9 and seeping out.</p> <p>10 But, you know, the walls are dirty. The</p> <p>11 ceiling tiles are, again, in -- in somewhat of a</p> <p>12 disarray, dirty. We're starting to see -- and you</p> <p>13 had asked me a general question before in that</p> <p>14 bathroom. The issue that we have in this is that,</p> <p>15 again, the building's been not energized, and, you</p> <p>16 know, so these ceiling -- the ceiling grids -- or</p> <p>17 the ceiling tiles are, you know, very porous, and</p> <p>18 once they start to absorb and -- and take on</p> <p>19 humidity, they start to sag, they start to smell,</p> <p>20 and with -- with enough time, they'll actually not</p> <p>21 just mildew but have mold. So -- but, yeah, just to</p> <p>22 me, this is indicative of some of the other photos</p> <p>23 that we -- we talked about. It's just -- it -- it</p> <p>24 just hasn't been, you know, maintained and -- and</p> <p>25 taken care of.</p>
<p style="text-align: right;">Page 39</p> <p>1 hanging piece of metal and, you know, gluing another</p> <p>2 piece to it. I mean, the problem is it's -- it's an</p> <p>3 old ceiling system, an old grid system, and you can</p> <p>4 just never -- it's -- I'm not going to it -- it's</p> <p>5 very difficult, and it never looks right. It</p> <p>6 would -- yeah, I mean, the right thing to do would</p> <p>7 be to remove the ceiling grid and tile and reinstall</p> <p>8 new.</p> <p>9 Q. And is it -- is pictures 852 through SEFL</p> <p>10 854 accurate representations of what you saw when</p> <p>11 you were at the property?</p> <p>12 A. Yes.</p> <p>13 Q. Let me ask the court reporter to also pull</p> <p>14 up documents Bates stamped SEFL 858 and 859 and ask</p> <p>15 if you can describe what is in those pictures.</p> <p>16 A. You know, I don't know what they were using</p> <p>17 that space for, but that would -- that's descriptive</p> <p>18 of a -- that's a VCT -- vinyl -- VCT tile floor.</p> <p>19 Again, you can see -- you see the areas of light</p> <p>20 gray or darker portions of the floor there. That's</p> <p>21 where the -- the surface of the VCT has been worn</p> <p>22 off, again, maybe indicative of rolling chairs that</p> <p>23 didn't have a -- a chair mat or something</p> <p>24 underneath. Either that or somebody walked in a</p> <p>25 circle for, you know, a couple years at a time until</p>	<p style="text-align: right;">Page 41</p> <p>1 Q. Okay. And that's true of 859 as well?</p> <p>2 A. Yeah. Which one is --</p> <p>3 Q. Didn't we -- let's see. This is 858 that</p> <p>4 we're looking at. There we go. There's 859.</p> <p>5 A. Yeah. I mean, the same thing there, you</p> <p>6 know, there -- there's -- it -- it -- it hadn't been</p> <p>7 taken care of. It hadn't been maintained. You can</p> <p>8 see a picture -- that's -- there's some broken</p> <p>9 glass. There's a slider window in the center. I</p> <p>10 don't know -- I'm not going to speculate. I'm not a</p> <p>11 private investigator, but I -- you know, somebody</p> <p>12 broke the glass there, and maybe it was part of the</p> <p>13 vandalism.</p> <p>14 The issue in there is there's a lot of</p> <p>15 casework or millwork that's been built, and, you</p> <p>16 know, that's a -- there could be future problems</p> <p>17 with the fact that the building -- you know, it's</p> <p>18 not -- doesn't have controlled heat and air in the</p> <p>19 building with -- with the millwork.</p> <p>20 Q. And when you say that, is -- is that</p> <p>21 because wood absorbs moisture and humidity?</p> <p>22 A. Yeah. Yeah. I mean, you know, wood, you</p> <p>23 know, expands and -- as well as it contracts with,</p> <p>24 you know, dry air and -- and moist air. And so --</p> <p>25 and depending on how those -- those cabinets are</p>

<p style="text-align: right;">Page 42</p> <p>1 built, you know, whether they're melamine or 2 plywood, I mean, they -- they're still susceptible 3 to do the same thing, but -- so those cabinets, you 4 know, expand and contract. You know, things start 5 to delaminate. You know, it's -- it can -- it can 6 definitely be a problem. 7 Q. Okay. And are SEFL 858 and 859 accurate 8 pictures of what you witnessed while on the 9 property? 10 A. Yes. 11 Q. And, again, can these floors be fixed just 12 by doing a good cleaning and polishing? 13 A. No. 14 Q. All right. Let's turn to the exterior 15 property. And let me direct your attention and ask 16 the technician to -- why don't we start with SEFL 17 861. And can you identify what SEFL 861 is? 18 A. Yes. That's a -- an exit stair off a dock, 19 I believe at the end of the dock. The door's barely 20 hanging on. It won't close. It doesn't have door 21 hardware. You know, we're looking at a -- a metal 22 set of stairs that's -- hasn't been maintained. You 23 can see that it's starting to rust. It hadn't been, 24 you know, maintained, hadn't been painted, touched 25 up, so starting to see some corrosion on that.</p>	<p style="text-align: right;">Page 44</p> <p>1 off, not operable. Doors weren't closing. I think 2 we saw a previous photo that you had pulled up 3 that -- that the door is completely taken off, and 4 I -- I didn't have the time to go try to reinstall 5 the door when I was there to see if it would fit. 6 Nor am I overly qualified to even install a door 7 just in full disclosure. 8 Q. Okay. So you're referring there -- 9 MR. FALLON: The technician can go 10 back to SEFL 849. 11 BY MR. FALLON: 12 Q. Okay. So we're looking at SEFL 849, and 13 you had referred to a picture where the door was 14 taken off -- actually looks like two doors were 15 taken off there. 16 Can you describe what you're -- what we're 17 seeing in 849. 18 A. Yeah. It -- it's not two doors, but one of 19 the doors obviously was taken off. I -- I'm 20 guessing that's the door, but it may be a door from 21 another location. 22 The other thing on the left-hand side of 23 the screen just sitting down on the ground, I mean, 24 I don't know if that's a -- a light fixture, if 25 we're looking at the ballast and the wire hanging</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. And what -- what would be the fix for the 2 problems you see on 861? 3 A. It would have to be prepped and those 4 areas -- all those areas of rust and the areas where 5 the -- the paint's delaminating would have to be -- 6 you know, that could either be done through sanding 7 or through a wire brush sanding process, then 8 primer, primed and repainted. And the same is kind 9 of indicative on all the perimeter dock channel. 10 Again, it's very difficult when you have, you know, 11 50 or 60 trailers that are backed up at every door, 12 so it's difficult to see from the front of it. But 13 you can see the dock channel, and the dock channel 14 would be the -- the metal C-channel that's located 15 below the yellow vertical rib panels that you see. 16 You can see that's all rusted and -- and 17 dilapidated. That needs to be completely cleaned 18 up, prepped, primed, and painted. 19 Q. And how about the door? 20 A. You know, the door is -- probably needs to 21 be replaced. You know, it -- it may be able to be 22 repaired. It's going to need some work around the 23 door jamb and -- but, again, it -- hardware -- and 24 we saw that in various areas on Tulsa, that a lot of 25 the door hardware was -- was missing, was pulled</p>	<p style="text-align: right;">Page 45</p> <p>1 down and that was pulled out of the ceiling. 2 Q. Okay. So they would need to be rehung as 3 well when you're doing the ceiling? 4 A. Yes. 5 Q. Okay. Let me turn to pictures at SEFL 862 6 and 863 and ask you to review them and -- and tell 7 us the import of those pictures. 8 A. Yeah. The issue here, again, the trailers 9 are backed up. It's hard to show -- what -- what 10 I've tried to demonstrate here is between about six 11 or eight of -- of the dock doors -- this is the 12 canopy that we're looking at between two trailers. 13 Between six or eight of the dock doors, these are 14 locations where the canopy was damaged, which is 15 indicative of a pup trailer. When I say "a pup," 16 that's going to be one of the shorter trailers, not 17 a van, not -- not -- not a 53-foot trailer but one 18 of the shorter trailers. 19 Unfortunately, one of the issues in the 20 LTL business is that if the axle configuration isn't 21 set up properly and they load a pup trailer -- if 22 the -- if the axles are too far forward from center 23 and they load the trailer with a forklift, the nose 24 of the trailer comes up, and -- and -- it basically, 25 you know, pops up, you know, at a 45-degree angle</p>

<p style="text-align: right;">Page 46</p> <p>1 and -- and -- and clips the canopy.</p> <p>2 Q. And is that the damage we're seeing in the</p> <p>3 canopy on 862 and 863?</p> <p>4 A. I -- I would -- I can only imagine that</p> <p>5 that's what caused it. I -- there's -- it's a</p> <p>6 very -- unfortunately, a typical -- for canopy</p> <p>7 damage like that, that -- that's a -- a typical --</p> <p>8 it's not commonplace, but that is indicative of what</p> <p>9 I just described, that damage. Otherwise, I -- I</p> <p>10 don't know what would have contributed to it. But</p> <p>11 that's -- a very, very unfortunate, common deal or</p> <p>12 typical for canopy damage like that would be a</p> <p>13 trailer nose ending up.</p> <p>14 Q. Okay. And is that condition there that we</p> <p>15 see in 862 and 863 -- would that be a good and safe</p> <p>16 operating condition?</p> <p>17 A. No. No.</p> <p>18 Q. And 862 and 863 are accurate</p> <p>19 representations of what you observed while at the</p> <p>20 property?</p> <p>21 A. Yes.</p> <p>22 Q. And, in fact, is 862 and 863 a hazard?</p> <p>23 A. Yeah, I mean, absolutely. You know, if</p> <p>24 a -- you can see that the -- portions of the -- the</p> <p>25 canopy are -- are hanging and not fastened properly,</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. Okay.</p> <p>2 MR. FALLON: Can the operator show</p> <p>3 866, 867, 868, and 869.</p> <p>4 A. Yeah. I mean. . .</p> <p>5 BY MR. FALLON:</p> <p>6 Q. Let's see. Yeah, let's stop at 867. What</p> <p>7 do you -- what do you see in 867?</p> <p>8 A. Same thing, we've got random cracking,</p> <p>9 longitudinal cracking, on all the -- on -- on the</p> <p>10 surface.</p> <p>11 Q. And is there a problem if -- if the -- and</p> <p>12 that's an asphalt surface?</p> <p>13 A. Yes, sir.</p> <p>14 Q. And so is there a problem if asphalt cracks</p> <p>15 like that?</p> <p>16 A. Yeah. I mean, something like this with,</p> <p>17 you know, longitudinal cracking, I mean, the -- the</p> <p>18 issue is that the cracks are fairly significant in</p> <p>19 width, so it's -- it's not a recent event. It's</p> <p>20 something that has continued to dilapidate over</p> <p>21 time, and so rather than maintaining it when the</p> <p>22 cracks were originally seen, I mean, these cracks</p> <p>23 start to get bigger, deeper, and the issue is that</p> <p>24 through freeze-thaw cycles, rain, moisture, you</p> <p>25 start to get water that penetrates through those</p>
<p style="text-align: right;">Page 47</p> <p>1 and, yeah, I mean, it -- it could fall. You know, a</p> <p>2 member could blow off and hit somebody, could fall,</p> <p>3 hurt somebody, I guess, or arguably kill somebody.</p> <p>4 Q. Let me ask you to turn to SEFL 864 and ask</p> <p>5 if you can describe what 864 shows.</p> <p>6 A. Yeah, I mean, that's the -- that's one of</p> <p>7 the sides of the building, and that's showing where</p> <p>8 the -- what you're seeing against the wall is the</p> <p>9 disconnects for the air-conditioning units, and</p> <p>10 that's where the condensing units for the air</p> <p>11 conditioning used to sit that are no longer there.</p> <p>12 Q. What would be the fix for that?</p> <p>13 A. Purchase new air-conditioning systems, you</p> <p>14 know, new condensing units, and depending on, you</p> <p>15 know, the condensing units, it could involve</p> <p>16 replacing air handlers and stuff in the office, but</p> <p>17 definitely new condensing units.</p> <p>18 Q. And would those condensing units be</p> <p>19 necessary to condition the building?</p> <p>20 A. Yes.</p> <p>21 Q. Let's take a look at SEFL 865 through 869.</p> <p>22 A. Yeah. I mean, we're looking at -- that's</p> <p>23 just one shot of the -- the paving. We're seeing a</p> <p>24 lot of surface cracking, longitudinal cracking on</p> <p>25 the surface, fairly large cracks.</p>	<p style="text-align: right;">Page 49</p> <p>1 cracks and -- and through the -- through the --</p> <p>2 through the layers below. So, you know, the concern</p> <p>3 is, you know, what -- what you can't physically see</p> <p>4 in the photos is what -- you know, what damage has</p> <p>5 that caused beneath the surface.</p> <p>6 Q. Why don't you take a look at 868 and 869.</p> <p>7 A. Same thing, just -- you know, there's</p> <p>8 surface cracking, and, again, those cracks are</p> <p>9 fairly significant in width. I would describe them</p> <p>10 as a half inch or -- or greater in width, but, you</p> <p>11 know, the surface is cracked all over.</p> <p>12 Q. Okay. Why don't you take a look at 878 and</p> <p>13 let us know what -- what we see there.</p> <p>14 A. Same thing, a lot of -- a lot of random</p> <p>15 cracking. You see a lot of longitudinal cracking,</p> <p>16 again, fairly significant widths of cracks.</p> <p>17 Q. Did you say -- was it rain cracking that</p> <p>18 you said?</p> <p>19 A. Random.</p> <p>20 Q. Oh, random cracking. Okay.</p> <p>21 And then -- so random would be irregular</p> <p>22 cracks? Is that it?</p> <p>23 A. Correct.</p> <p>24 Q. And then longitudinal -- longitudinal</p> <p>25 cracking or -- or straight-line cracks?</p>

<p style="text-align: right;">Page 50</p> <p>1 A. Yes.</p> <p>2 MR. FALLON: Okay. I'd ask the</p> <p>3 technician just to page through SEFL 865 to 879 and</p> <p>4 ask the witness if these pictures represented by</p> <p>5 SEFL 865 through 879 are accurate representations of</p> <p>6 what you saw while at the Tulsa property.</p> <p>7 A. Yes. Yeah. That's why I took many, many</p> <p>8 photos, just so that nobody would -- I mean,</p> <p>9 obviously, we walked the site, inspected it all, and</p> <p>10 took photos of it all, but it's -- you know, we -- I</p> <p>11 took various -- a lot of photos throughout the</p> <p>12 entire site, so it's not representative of one</p> <p>13 specific area; it's representative of the entire</p> <p>14 site.</p> <p>15 Q. Does asphalt have a -- a -- a useful life?</p> <p>16 A. Yeah. I mean, typically, most asphalt</p> <p>17 profiles are designed to a 15-year life. Concrete</p> <p>18 are generally designed to a 20. But, yeah,</p> <p>19 traditionally, a 15-year life span.</p> <p>20 Q. Do you have a sense of where this asphalt</p> <p>21 is in its life span?</p> <p>22 A. No, I -- I can't speculate on when that</p> <p>23 profile was put down, when it -- but, you know, to</p> <p>24 me, it's far exceeded it. You know, the issue on</p> <p>25 the surface is why asphalt is generally -- has a</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Okay. And let's look at one more picture,</p> <p>2 SEFL 880. Can you describe what SEFL 880 shows.</p> <p>3 A. Yeah, the -- that's a light tower that's</p> <p>4 been completely knocked over. It's laying on its</p> <p>5 side. I don't know if you guys can see that, the</p> <p>6 pole that's leaning kind of left to right. On the</p> <p>7 left-hand side you can see the electrical got</p> <p>8 stripped out of that. That looks like a -- an oil</p> <p>9 pan heater -- a plug-in for the oil pan heater for</p> <p>10 the tractors.</p> <p>11 Q. Was there any power to the oil pan heater?</p> <p>12 A. No, sir.</p> <p>13 MR. FALLON: Okay. Let me ask the</p> <p>14 technician to also pull up SEFL 881, SEFL 882, and</p> <p>15 SEFL 883 and page through them.</p> <p>16 BY MR. FALLON:</p> <p>17 Q. Are those accurate pictures of the site</p> <p>18 that you visited?</p> <p>19 A. Yes, sir.</p> <p>20 Q. And SEFL 880 is also an accurate picture of</p> <p>21 the site?</p> <p>22 A. Yes, sir.</p> <p>23 MR. FALLON: Okay. I don't think I</p> <p>24 marked this. Can we mark -- unless I missed it.</p> <p>25 Can we mark SEFL 861 through SEFL 883 as Erickson</p>
<p style="text-align: right;">Page 51</p> <p>1 15-year life span, and that's -- to the point of</p> <p>2 resurfacing it is that, you know, it's exposed to,</p> <p>3 you know, UV rays, sun rays. It's -- so it's --</p> <p>4 it's traffic, it's weather, it's the sun. You know,</p> <p>5 things -- you know, asphalt, unlike concrete,</p> <p>6 doesn't have -- it doesn't have -- it doesn't have</p> <p>7 expansion joints. You know, concrete's designed</p> <p>8 with expansion joints and slip dowels so that it</p> <p>9 expands and contracts with weather and -- and has --</p> <p>10 in those expansion joints, control joints, you --</p> <p>11 you caulk them, you seal them, maintain them.</p> <p>12 You know, asphalt doesn't -- that --</p> <p>13 that's not what asphalt does. Asphalt doesn't have</p> <p>14 control joints, so it -- it's always expanding and</p> <p>15 contracting. And so by maintaining the surface over</p> <p>16 time, maintaining the surface is -- is a way to --</p> <p>17 to try to offset some of that expansion and</p> <p>18 contraction, I guess, for lack of better terms, you</p> <p>19 know, the sun exposure.</p> <p>20 But, no, I mean, this one, again, the</p> <p>21 concern is the size of the cracks. You know, had --</p> <p>22 had -- had they been handled and managed early on,</p> <p>23 you know, I don't -- I don't think we're dealing</p> <p>24 with a situation that -- that they're quite as</p> <p>25 significant as -- as the situation we have today .</p>	<p style="text-align: right;">Page 53</p> <p>1 Exhibit 2, please.</p> <p>2 EXHIBIT TECHNICIAN: I mean, Counsel,</p> <p>3 you -- you can -- I'm sorry, this is Clint, the</p> <p>4 tech. I mean, that can be noted for the record.</p> <p>5 Production can take care of that, but for the way</p> <p>6 I'm marking these right now since they're all part</p> <p>7 of the same file, I can't really mark them</p> <p>8 individually on my end, but it can be noted on the</p> <p>9 record if you would like.</p> <p>10 MR. FALLON: Okay. No. Okay. Yeah,</p> <p>11 I -- I see what I did. I had already marked SEFL</p> <p>12 843-883 as Erickson Exhibit 1, so I -- I think we're</p> <p>13 covered there. So we're still on Exhibit 1.</p> <p>14 BY MR. FALLON:</p> <p>15 Q. Okay. Let's pull up your most recent</p> <p>16 estimate. This is the Schwob estimate that we</p> <p>17 circulated last night dated Wednesday, March 27,</p> <p>18 2024, and I believe you've got a copy there.</p> <p>19 MR. FALLON: I believe counsel for the</p> <p>20 debtors was provided a copy last night as well as</p> <p>21 counsel for the creditors' committee.</p> <p>22 Does everybody have that?</p> <p>23 MS. LAMPLEY: Yes.</p> <p>24 MR. FALLON: Okay.</p> <p>25 BY MR. FALLON:</p>

<p style="text-align: right;">Page 54</p> <p>1 Q. And, Mr. Erickson, do you have that in 2 front of you? 3 A. I do not. I didn't want to bring anything 4 that -- into this deposition that I didn't -- I 5 didn't know that everybody had it. I'm -- I can run 6 back and get it or if you can pull it up on the 7 screen. You tell me how you want to do it. It'll 8 take me one minute to grab it off my desk. 9 MR. FALLON: Yeah. Well, we've been 10 going for a while, so maybe this is a good time to 11 take a break. Why don't you grab that if that's 12 okay with the debtor, and we can come back in 13 ten minutes. 14 MS. LAMPLEY: Works for us. 15 MR. FALLON: Okay. Off the record. 16 Thank you. 17 (Break taken, 9:30 a.m. to 9:42 a.m.) 18 BY MR. FALLON: 19 Q. Okay. Mr. Erickson, during the break, were 20 you able to retrieve your latest estimate? 21 A. Yes, sir. 22 Q. And is that the estimate dated Wednesday, 23 March 27, 2024? 24 A. Yes. 25 Q. Okay. And is this -- you had provided a</p>	<p style="text-align: right;">Page 56</p> <p>1 estimate? 2 A. I did not. 3 Q. Did somebody from your company prepare the 4 estimate? 5 A. Yes, sir. 6 Q. And is it an estimate that you reviewed? 7 A. Yes, sir. 8 Q. And do you think that this is an accurate 9 estimate intended to reflect how much you believe it 10 will cost to bring the Tulsa property to good and 11 safe operating condition? 12 A. I think it's an accurate representation of 13 a -- of a -- of a site walk having limited 14 information. I don't know that it's an overly 15 accurate estimate of the total extent of the work, 16 but from our walk, yes. 17 Q. So when you say you're not sure if it's 18 totally accurate, what -- what do you mean by that? 19 A. I mean, you know, there -- there -- there's 20 a lot of things. It's, I guess, what's 21 representative of this revised proposal. It's going 22 back and looking at photos and -- and noting, you 23 know, what -- what other things did we miss. The -- 24 the revised estimate that came across yesterday 25 was -- was -- the original estimate did not have the</p>
<p style="text-align: right;">Page 55</p> <p>1 previous estimate? 2 A. That's correct. 3 Q. And why don't -- when -- when we get to it, 4 why don't you just indicate where the estimate is 5 different. I don't think we need to mark that, 6 although other counsel may if they want to. But you 7 can tell us what's different and -- and why it's 8 different, but I don't think we need to do that for 9 now. 10 MR. FALLON: So can I have the court 11 reporter mark the March 27, 2024, estimate as 12 Erickson Exhibit 2. 13 EXHIBIT TECHNICIAN: One moment. 14 (Exhibit No. 2 marked.) 15 BY MR. FALLON: 16 Q. Okay. The court reporter has marked the 17 March 27, 2024, estimate as Exhibit 2. Can you 18 describe what this is for us. 19 A. Yeah. It's an estimate for the rework, the 20 items that -- that we saw on-site, a lot of them 21 represented in the photos, that need to be 22 corrected, fixed. But, yeah, it's -- it's an 23 estimate from our -- our site visit, our site walk 24 on the repairs. 25 Q. Okay. Did -- did you prepare this</p>	<p style="text-align: right;">Page 57</p> <p>1 air-conditioning units, and going back through the 2 photos, it was like, wow, we -- we need 3 air-conditioning units. You know, that -- that was 4 missed, so that -- that estimate's been corrected. 5 But, no, I mean, it's -- what -- what -- 6 what you don't know is what damage was done above 7 the ceiling. I think with some additional 8 investigation and -- and -- I -- I would argue to 9 believe that there's probably additional damage 10 that's concealed that -- that we don't know about. 11 That's just -- you -- you don't know until you get 12 into it. 13 Q. Yeah. And I -- I want to follow up on 14 that. 15 So about how -- how long did you spend at 16 the site? 17 A. Three hours. 18 Q. Okay. And -- 19 A. Maybe -- maybe two and a half. 20 Q. -- so your -- your estimate was essentially 21 based on your three-hour walk-through; is that fair? 22 A. Yeah. It may have been closer to two and a 23 half, but, yes, maybe three. 24 Q. Okay. So when you stated earlier that, you 25 know, you -- once you get started, you start going</p>

<p style="text-align: right;">Page 58</p> <p>1 up into the ceiling and -- I -- I think you stated 2 something to the effect of -- if you might find some 3 more things up there that need fixing. 4 Was -- was that your testimony? 5 A. Yeah. I mean, for example, just the photo 6 that had the PVC pipe laying on the ground, like, 7 you know, where did it come from? It's -- it's 8 below the area where the ceiling's been pulled out, 9 and, you know, I mean, it would feel to me like that 10 pipe was connected to something and -- 11 Q. Uh-huh. 12 A. -- whether it had, you know, likely, you 13 know, water, something that needs to run through it. 14 But, yeah, I mean, what other damage -- is 15 there -- is there, you know, now potential, you 16 know, mildew or mold issue in the ceiling because it 17 hadn't been conditioned for a while? I don't know 18 if people were going up and -- and crawling around 19 in the ceiling, the people that vandalized the 20 facility. I mean, what -- what -- what all was 21 damaged? The fire sprinkler system -- you know, the 22 building's not energized. We're not in a position 23 to, you know, go and test the fire sprinkler system. 24 And so, you know, if the thing has been frozen in 25 the office, I mean, do we have leaks all over the</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Correct. 2 Q. And based on your experience, you wouldn't 3 be surprised if there were significant additional 4 costs once you started to do the work and did more 5 intensive review? 6 A. Yeah. Yeah, absolutely. 7 Q. So is it safe to say that this estimate 8 would be the -- at least the minimum cost necessary 9 to bring the Tulsa property to good and safe 10 operating condition? 11 A. Yes. 12 Q. And it's entirely possible that once you 13 get into it, it actually might cost more to bring 14 the property to good and safe operating condition? 15 A. Correct. I would say likely. 16 Q. Did anyone else assist you in preparing 17 this estimate? 18 A. Yes. My estimator -- Chris Broerman, one 19 of my estimators. And Chris also attended the site 20 walk. 21 Q. And so this was prepared under your 22 direction and supervision? 23 A. Yes. 24 Q. And subject to our previous comments, you 25 believe it to be accurate?</p>
<p style="text-align: right;">Page 59</p> <p>1 place? I mean, it's -- it's -- you just don't know 2 at this point, and with further investigation -- 3 Q. And -- and so -- oh, I'm sorry. 4 A. No, I'm just saying with further 5 investigation -- 6 Q. And -- and -- 7 A. -- you can start to -- you generally learn 8 more, not less. 9 Q. Okay. And so, for example, with your 10 example of the PVC pipe on the floor, your estimate 11 doesn't address any issues -- if -- if, for example, 12 that came from the ceiling and something needs to be 13 fixed based on the pipe falling to the ground, 14 that -- that's not included in your estimate? 15 A. Correct. 16 Q. So when -- when you expressed some doubts 17 about accuracy, were you indicating that there's 18 anything inaccurate on this, or were you just saying 19 that there's additional work that might need to be 20 done and -- and that that might be a reason for 21 inaccuracy? 22 A. Yeah, just the -- the latter of what you 23 said. 24 Q. Okay. So -- so to be clear, if it's 25 inaccurate, it's inaccurate to the low side?</p>	<p style="text-align: right;">Page 61</p> <p>1 A. Yes. 2 Q. At least for the items that are on here? 3 A. Correct. 4 Q. Okay. Let me ask you to look at the top of 5 the page where it says, "Division 1, General 6 Conditions." 7 Do you see that? 8 A. Yes. 9 Q. And the first item, "Project and Field 10 Management," can you describe what that includes and 11 what the cost would be? 12 A. Yeah. So, I mean, that -- that's going to 13 be for the -- for the duration of the project. 14 We'll have a -- assess -- a project manager assigned 15 from the office on that project that -- that's 16 managing everything from the office side and then a 17 field manager from the office. It's -- also, 18 there's assessment of costs for project manager; 19 clerical side on the project management; and then, 20 of course, you've got the -- the field -- the field 21 supervision. 22 Q. Is -- and -- and that's 73,306? 23 A. Yes. 24 Q. And is that necessary to do this type of 25 project?</p>

<p style="text-align: right;">Page 62</p> <p>1 A. Yes. Yes.</p> <p>2 Q. And why would that be?</p> <p>3 A. Well, I mean, somebody's got to manage the</p> <p>4 project. Somebody's got to manage it from the field</p> <p>5 perspective, from the office perspective. You know,</p> <p>6 a project manager is -- is responsible for writing</p> <p>7 the contracts to the various vendors and then</p> <p>8 managing -- you know, developing -- you know, taking</p> <p>9 this and then developing a -- a more refined</p> <p>10 scope -- scope of work and, you know, making sure</p> <p>11 that these -- these subcontractors or vendors are</p> <p>12 performing the work in accordance to, you know,</p> <p>13 what's required and deal with the day-to-day</p> <p>14 problems that come up on the jobsite. And, of</p> <p>15 course, the -- the field manager or the field</p> <p>16 superintendent is the one that's actually</p> <p>17 implementing the work on-site. So, yeah, I mean,</p> <p>18 it's a -- they're -- they're -- they're costs</p> <p>19 necessary to -- to -- to get the remaining -- to get</p> <p>20 the work done.</p> <p>21 Q. Okay. I'm not going to spend a lot of time</p> <p>22 on the next three items yet, temporary site</p> <p>23 facilities, temporary utilities, and safety.</p> <p>24 Are those common items for a -- a project</p> <p>25 such as this?</p>	<p style="text-align: right;">Page 64</p> <p>1 day, so another, you know, \$2500 a week, possibly.</p> <p>2 Q. And how -- how many weeks is this -- this</p> <p>3 project?</p> <p>4 A. I think we're looking at this is a few</p> <p>5 months' worth of work.</p> <p>6 Q. Okay. Okay. Let's turn to -- cleaning and</p> <p>7 waste management is 10,161. What -- what is that?</p> <p>8 A. That's going to be for final clean of -- of</p> <p>9 the work that's put in place after -- like,</p> <p>10 specifically in the office, somebody's got to go in</p> <p>11 and do a final clean. That's also going to include</p> <p>12 dumpsters, you know, facilities to put debris --</p> <p>13 demolished debris in, have it removed.</p> <p>14 Q. And is -- is that market rate?</p> <p>15 A. Yes.</p> <p>16 Q. Are the other items under "General</p> <p>17 Conditions" market rates?</p> <p>18 A. Yes.</p> <p>19 Q. We've been looking primarily at the</p> <p>20 numbers. What's the "S-SF" column stand for?</p> <p>21 A. I'm sorry, the what?</p> <p>22 Q. The -- there's two columns. There's a</p> <p>23 "Total Dollar" column, and then there's an "S/SF"</p> <p>24 column on --</p> <p>25 A. Oh.</p>
<p style="text-align: right;">Page 63</p> <p>1 A. Yes.</p> <p>2 Q. And are those at market rates?</p> <p>3 A. Yes.</p> <p>4 Q. I noticed that there wasn't any entry for</p> <p>5 security.</p> <p>6 Is there any reason why you didn't have an</p> <p>7 entry for security on this one?</p> <p>8 A. I don't know if the intent in this deal was</p> <p>9 to get the -- the perimeter fence, the guard dog</p> <p>10 electric fence, in place and use that to secure the</p> <p>11 facility. It's actually a great question for this</p> <p>12 project considering it's had previous theft, and</p> <p>13 that's probably a good example. It's indicative of</p> <p>14 if somebody's already hit the facility once, maybe</p> <p>15 they hit it again. And thinking about it now, maybe</p> <p>16 it does need some security.</p> <p>17 Q. And what -- what's a typical number for</p> <p>18 security on a project like this?</p> <p>19 A. You know, you would spend -- you'd secure</p> <p>20 the facility in hours that would be above and beyond</p> <p>21 when the field superintendent's on-site. So that</p> <p>22 could be from, you know, the hours of, you know, 4</p> <p>23 or 5:00 until, you know, 6 or 7:00 the next morning.</p> <p>24 And I -- you know, those rates, you know,</p> <p>25 eight hours, you know, that could be 2- or \$300 a</p>	<p style="text-align: right;">Page 65</p> <p>1 Q. -- Exhibit 2. What's the "S/SF" --</p> <p>2 A. Yeah. That's the --</p> <p>3 Q. -- column stand for?</p> <p>4 A. That's calculating the dollars per square</p> <p>5 foot, and that's going to be the dollar/square feet</p> <p>6 of the entire facility, which is -- becomes a little</p> <p>7 misrepresentative of -- for example, like, when you</p> <p>8 look at the office finishes, you know, those</p> <p>9 finishes are going to be -- the majority of those</p> <p>10 finishes are going to be deprived (sic) from the</p> <p>11 office area versus the entire building.</p> <p>12 Q. I see. Okay.</p> <p>13 So that's a dollar per square foot, not an</p> <p>14 S?</p> <p>15 A. Yeah, that's -- I mean, when we turn in</p> <p>16 a -- the final estimate summary like this, we use</p> <p>17 a -- a platform called DESTINI for estimating</p> <p>18 software, and it's -- it's -- it's -- it's the way</p> <p>19 that it -- it kicks the number out on the total</p> <p>20 square footage of the building.</p> <p>21 Q. Okay. Let me turn to Division 2, which is</p> <p>22 entitled, "Site work."</p> <p>23 Can you describe what type of work is</p> <p>24 referred to under Division 2, "Site work," and its</p> <p>25 cost.</p>

<p style="text-align: right;">Page 66</p> <p>1 A. Yeah. I mean, there's miscellaneous 2 fencing repair that needs to happen throughout the 3 site. There's -- I think there were five or six 4 locations where the -- on the fencing where the 5 fabric was pulled off, cut. I'm guessing there's 6 one or two of the locations where the vandals maybe 7 came in and out. But there were areas where, you 8 know, there were -- you know, there's bent poles, 9 and it's not as simple as just bending them back. 10 So -- but, yeah, that's representative of, you know, 11 fixing the fencing. And then the -- the -- the 12 asphalt is -- putting a two-inch mill and overlay on 13 all that -- for the -- all that surface cracking 14 that we saw. And that scope is broken out. 15 Now, of that -- and you guys have the -- 16 everybody should have that proposal. So the 17 proposal for the asphalt is 320,000, and then we 18 have all the concrete out there that -- the -- the 19 expansion joints haven't been maintained, and to 20 seal the concrete joints -- and that's a \$2 per 21 linear foot, so that would deprive of the other -- 22 that -- between -- we took an area and then -- took 23 all the concrete areas, and you take the linear 24 footage of caulking -- caulking, so that's another, 25 you know, 10,000 linear foot of remove and -- and</p>	<p style="text-align: right;">Page 68</p> <p>1 breakout's 300-and- -- right at \$320,000 for that 2 scope of work, and then they have an -- add \$2 per 3 linear foot to -- to clean and remove and recaulk 4 the concrete joints. 5 Q. Okay. So just so we understand, so Schwob 6 is a general contractor? 7 A. Yes. 8 Q. And so for many of these jobs, you go out 9 and find subcontractors to do certain portions of 10 the jobs? 11 A. Yes, most all my -- yes. 12 Q. Okay. So Schwob itself isn't out there 13 having Schwob employees do the asphalt; is -- is 14 that fair? 15 A. That's fair. Yes, that's correct. 16 Q. And so it's common in the general 17 contractor business to rely on information from 18 subcontractors? 19 A. Yes. 20 Q. And -- and -- and is it fair to say that 21 you obtain estimates and information from 22 subcontractors when preparing estimates for 23 customers? 24 A. Yes. Yeah. I mean -- 25 Q. And --</p>
<p style="text-align: right;">Page 67</p> <p>1 clean up the joints and -- and put new caulking down 2 at the areas of concrete, and that's what drives at 3 the total 345-. 4 Q. Okay. You referred to another document. 5 Was that a -- a document from the subcontractor for 6 the asphalt? 7 A. Yes, sir. 8 Q. Okay. 9 A. That references APAC Central. 10 Q. What -- what -- what was that reference? 11 A. Reference -- the proposal, it's called 12 APAC, A-P-A-C, Central. 13 Q. Okay. We'll try to find that. I -- I 14 don't have that at least in front of me. 15 And maybe you can describe that -- that 16 proposal for us so we can move on for us. 17 A. That's okay. It's just a proposal from 18 a -- a group called APAC Central, d/b/a Dunham's 19 Asphalt Services. They're based out of Tulsa. They 20 gave us a -- a proposal for all labor, materials, 21 and equipment to do a two-inch cold mill, haul off 22 millings, clean and tack as required, new two-inch 23 type S4 asphalt. And then -- I'm sorry, also 24 restriping both the asphalt and the concrete paving. 25 So that's incorporated in that 300-and- -- the</p>	<p style="text-align: right;">Page 69</p> <p>1 A. -- specifically, you -- based -- 2 Q. Go ahead. 3 A. You can see in this revised proposal 4 from -- what was originally submitted from the time 5 that we -- we -- if we don't have a number, in the 6 meantime, we'll put a plug number based on our 7 estimate until we get that sub proposal in, and I 8 can't -- I think we plugged in -- the amount was 9 higher than originally until we finally received the 10 bid, and this amount was lower, which is why we 11 reinserted that number and resubmitted to all of 12 you. 13 Q. I see, yes. 14 So now I'm looking at the original. So 15 the original had a total of -- it was 492,000 for 16 the asphalt work, and then the new one, it's 17 345,000 -- 18 A. Correct. 19 Q. -- and change; is that right? 20 A. Yes. 21 Q. Okay. 22 A. Yeah, I think we in our estimate -- 23 Q. And so you -- 24 A. We had a quantity issue on our -- on our 25 initial estimate takeoff, but obviously, that was</p>

<p style="text-align: right;">Page 70</p> <p>1 corrected by actually getting a bid on it.</p> <p>2 Q. Okay. And is this subcontractor that</p> <p>3 you're relying on a reputable local contractor --</p> <p>4 A. Yes.</p> <p>5 Q. -- subcontractor?</p> <p>6 A. Yes.</p> <p>7 Q. And have you found their rates generally to</p> <p>8 be market rates?</p> <p>9 A. I -- I've never worked with them before,</p> <p>10 but I would -- based on projects we've seen in the</p> <p>11 past, I would say that it's -- I would say it's</p> <p>12 that.</p> <p>13 Q. Did they know they were the only</p> <p>14 subcontractor that you were seeking -- well, I</p> <p>15 guess, one question is, were the -- were they the</p> <p>16 only subcontractor that you were able to obtain an</p> <p>17 estimate from for this work?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And did they know they were the only</p> <p>20 subcontractor --</p> <p>21 A. No.</p> <p>22 Q. -- that you had asked?</p> <p>23 A. No.</p> <p>24 Q. And so is it fair to say that the estimates</p> <p>25 you receive from subcontractors generally are things</p>	<p style="text-align: right;">Page 72</p> <p>1 indicative across, in -- in my opinion, 100 percent</p> <p>2 of the site.</p> <p>3 So -- but, no. I mean, based on the depth</p> <p>4 of the cracking and the width of the cracking, you</p> <p>5 know, the issue is it's -- it -- it didn't happen</p> <p>6 just yesterday. It's -- it's -- these cracks have</p> <p>7 been here. The cracks are getting -- have obviously</p> <p>8 gotten -- they don't get smaller; they get</p> <p>9 significantly bigger. And, you know, so over the</p> <p>10 time -- over time, you know, you get moisture. You</p> <p>11 get rain events, and, you know, that water, you</p> <p>12 know, weeps through those cracks and -- and starts</p> <p>13 to, you know, undermine everything else. So no,</p> <p>14 I -- was there a time and a point where it could</p> <p>15 have been controlled? I -- I believe so, but I</p> <p>16 think that time came and went a long time ago.</p> <p>17 Q. So the water is already in the cracks and</p> <p>18 under the asphalt?</p> <p>19 A. Well, I can't answer that question. We</p> <p>20 didn't go out there, start coring everything, but,</p> <p>21 yeah, I mean, the water has got to go somewhere, so,</p> <p>22 you know, it sits in those joints, and -- and that's</p> <p>23 how those joints get wider and wider and wider</p> <p>24 and -- and, you know, the million-dollar question</p> <p>25 is -- is how, far do those cracks extend?</p>
<p style="text-align: right;">Page 71</p> <p>1 that are sought and obtained and then used in the</p> <p>2 ordinary course of your business?</p> <p>3 A. Yes.</p> <p>4 Q. And you -- you keep these documents in the</p> <p>5 ordinary course of your business?</p> <p>6 A. Yes.</p> <p>7 Q. So let me ask you a question about the</p> <p>8 asphalt paving number. It sounds like the work that</p> <p>9 APAC is proposing is not a patchwork.</p> <p>10 Would it be -- what -- what -- what's your</p> <p>11 view on whether a patch -- patching or -- or</p> <p>12 retarring or something to that effect, would --</p> <p>13 would that be sufficient?</p> <p>14 A. Yeah, I mean, no. I mean, I think it could</p> <p>15 have been sufficient had it been done timely and</p> <p>16 been done some time ago, but the issue with this</p> <p>17 site is that the joints are -- the cracking is very</p> <p>18 severe. It's very wide. And, you know, from my</p> <p>19 experience -- and I'm not an asphalt expert, but</p> <p>20 from my experience, what I've heard from other</p> <p>21 people in the industry is when you see these things</p> <p>22 are prevalent -- and I don't know if it's prevalent</p> <p>23 over 20 or 25 percent of the site. It definitely</p> <p>24 lends itself to a -- a -- to a mill and overlay like</p> <p>25 we proposed here. In this case, I mean, it's</p>	<p style="text-align: right;">Page 73</p> <p>1 And, you know, I -- when we talked about</p> <p>2 earlier on, you know, the -- you know, that</p> <p>3 generally, the more that you discover, you know --</p> <p>4 it was either your question or -- but the more that</p> <p>5 you discover -- I mean, costs don't go down, they go</p> <p>6 up. And so, you know, if it's degraded (sic) to</p> <p>7 the point that we have cracks and that water has</p> <p>8 migrated down to the subgrade below the asphalt, you</p> <p>9 know, we -- I guess we could have a significant</p> <p>10 problem that's far greater than what we're looking</p> <p>11 at now. The problem is we don't know that today.</p> <p>12 Q. And so is it possible that once you start</p> <p>13 this project, it actually may increase in cost?</p> <p>14 A. Absolutely. It's unlikely that we're going</p> <p>15 to -- it's unlikely that we're going to go through</p> <p>16 this process and look at it and say, "Wow, this</p> <p>17 is -- this is way better than what we" -- I mean, we</p> <p>18 don't know what the issue is, and we -- we've only</p> <p>19 assumed to do the -- the two-inch overlay. It would</p> <p>20 seem to me that -- I'm not seeing a lot of major</p> <p>21 potholing, and so that would be indicative of</p> <p>22 subgrade that's completely failing. But if it's not</p> <p>23 there, it's got to be very, very close to being</p> <p>24 there, which is the importance of getting the</p> <p>25 overlay put on it now.</p>

<p style="text-align: right;">Page 74</p> <p>1 Q. Okay. Let's move to Division 8, 2 "Openings," on Exhibit 2. And can you describe the 3 items that are listed there and what justification 4 there is for those items.</p> <p>5 A. Yeah. So door frames, hardware, I don't 6 have the specific door count breakdown, but we went 7 through -- I mean, we felt like a lot of the door 8 frames, a lot of the -- not the frames but the 9 doors, the hardware were insignificant. I mean, 10 again, a lot of them were hanging off. Yeah, the 11 door handles were hanging off. And so to go in 12 and -- and replace, you know -- and the other issue 13 is when you go in -- the other concern, going back 14 to not knowing what would happen, is you start going 15 in and renovating a facility. Then it puts you in a 16 position to mean certain new code requirements for 17 ADA, and so it's likely we'll have to go in, and, 18 you know, all the -- all the -- the door -- door 19 handles will have to be something that's ADA 20 approved. So -- and unfortunately, door frames and 21 hardware have gotten significantly more expensive 22 than -- than what they used.</p> <p>23 Overhead doors. You know, this facility 24 has got roughly 52 doors. I think they're -- 25 they're coiling overhead doors. New coiling</p>	<p style="text-align: right;">Page 76</p> <p>1 going to have to pull the -- you know, again, the 2 ceiling tiles are -- are -- have been and will 3 continue to be in an unconditioned-type situation, 4 and so those will all have to be removed, replaced. 5 And when you start replacing -- there's various 6 areas throughout the office that have damaged 7 ceiling tiles, and -- and, again, I think I 8 mentioned before there's just no good way to -- to 9 get in and replace some of these sections. You 10 know, we've done it historically in the past where 11 you go in and you replace various sections. And, of 12 course, you know, those materials are new, the other 13 materials are old, and then been instructed to come 14 in and take the old areas to paint the ceiling grid 15 so that it matches all the new stuff. And, you 16 know, the paint flakes off over time. It take -- 17 it's a maintenance issue, and -- and, quite frankly, 18 it -- it costs almost as much as had you just 19 replaced the entire thing. So. . .</p> <p>20 Q. So the drywall item there includes ceiling 21 tiles and ceiling grids?</p> <p>22 A. Yes.</p> <p>23 Q. And then can you describe the -- the 24 flooring repairs and -- and whether that number, 25 27,000 and change, is justified?</p>
<p style="text-align: right;">Page 75</p> <p>1 overhead doors are, you know, \$5,000 apiece. A lot 2 of these, they -- they weren't in horrible shape, 3 but, you know, the coiling doors definitely have 4 sections of the coil that would have been damaged, 5 have been crushed, you know, hit from either the 6 outside or the inside by forklifts. And so to go in 7 and selectively -- you know, we -- we estimated 8 \$1,000 a door to go in and fix various sections of 9 those coils or of the -- you know, the -- the -- the 10 rolling panels to -- to repair them.</p> <p>11 Q. Okay. So the costs under Division 8, 12 "Openings for door frames, hardware, and overhead 13 doors," is necessary to bring the premises to a good 14 and safe operating condition?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Let's turn to Division 9, 17 "Finishes," and there's three items there: Drywall, 18 flooring, and painting. Let's start with drywall.</p> <p>19 Can you describe what needs to be fixed 20 and what the justification for that cost is.</p> <p>21 A. Yeah. I mean, we saw damaged walls. Areas 22 are going to have to be repaired. I think we 23 analyzed this deal -- with all the damaged ceiling 24 tile, the ceiling grid -- and I may have mentioned 25 that earlier, but to us, it feels like that we're</p>	<p style="text-align: right;">Page 77</p> <p>1 A. Yeah, yeah. I mean, that's replacing the 2 flooring. I think we saw through the photos. I 3 mean, the flooring is severely damaged. You know, 4 just -- there's various areas throughout that the -- 5 the surface is completely worn through, and, again, 6 I don't know -- it -- to me, it feels like areas 7 where people are rolling around on chairs and didn't 8 have, you know, chair mats or anything below, but 9 it's completely worn the surface off, so. . .</p> <p>10 And -- and, again, going back to the 11 example of you don't know till you know, you know, 12 if we start pulling this floor tile up, I'm guessing 13 that we'd have to have somebody come out, and 14 somebody will have to test it and see if the -- 15 depending on the age of the tile, if the mastic has 16 asbestos in it and if that's going to require some 17 level of abatement, and -- and we haven't included 18 any of that.</p> <p>19 Q. So that cost could very well go up?</p> <p>20 A. Sure, yeah, absolutely.</p> <p>21 Q. Can you describe the painting necessary and 22 whether the 29,650 is justified for painting?</p> <p>23 A. Yeah, it -- it -- it's justified. My 24 personal opinion, it seems a bit low. We went over 25 that, discussed that. There's various places -- we</p>

<p style="text-align: right;">Page 78</p> <p>1 saw photos outside of the building. The handrails 2 that are rusted, the -- the -- the stairs, those 3 areas need to be, again, properly prepped, primed, 4 painted and then the interior office areas all need 5 a complete refresh, repaint, which include, you 6 know, some tape and bedding; taking things out of 7 walls; you know, fixing various areas. And -- and 8 for clarification, the painting, you know, generally 9 includes the -- any type of tape bed and texture 10 work in -- in addition to the paint. 11 Q. Can -- can you describe that? I -- I -- I 12 missed that. Texture work, what -- what's that? 13 A. Like. Tape, bedding, and texturing. So 14 that would be any areas where you have damaged 15 Sheetrock and you got to go in and -- and retexture 16 those walls, you know, retape them, texture them. 17 It's the process that -- you know, between the -- 18 the drywall stage and the -- and the paint stage. 19 Q. Okay. All right. Let's turn to 20 Division 11, "Equipment, Loading dock equipment." 21 MR. FALLON: And in connection with 22 that, it probably makes sense let's have the court 23 reporter pull up documents Bates stamped SEFL 827 24 through 829, and we'll have the court reporter mark 25 that as Erickson Exhibit 3.</p>	<p style="text-align: right;">Page 80</p> <p>1 of areas and need new -- new bumpers. 2 So anyway, so to us, we feel like Total 3 Service Packaging is a very reliable source and has 4 a -- a lot of history with -- with doing this. And 5 so I -- I don't know that I need to read all the 6 details there, but, you know, basically, you know, 7 they're talking about, you know, 51 dock boards 8 being serviced. 9 Q. Okay. And based upon what you saw, you 10 thought this was a reasonable estimate? 11 A. Yes. Yeah, it's -- it's -- that's a highly 12 competitive business. I say that. It doesn't sound 13 like it when I say that, but there's a limited 14 amount of groups that have significant quantities of 15 dock boards, dock levelers, and -- and so it -- in 16 my opinion, they're -- we've looked at this in the 17 past. I mean, they're -- everybody generally 18 charges about the same for it. 19 Q. Okay. All right. Let's move on to 20 Division 13, "Special construction," on Exhibit 2. 21 Can you describe what that division entails and why 22 it costs 24,000? 23 A. Yeah, that's for the canopy damage that we 24 saw on the exterior of the building where the 25 trailers appeared to have nosed up at some point in</p>
<p style="text-align: right;">Page 79</p> <p>1 EXHIBIT TECHNICIAN: Counsel, I'm 2 sorry, can you repeat those Bates numbers for me? 3 MR. FALLON: Sure. It's SEFL 827, 4 828, and 829. 5 (Exhibit No. 3 marked.) 6 BY MR. FALLON: 7 Q. And I'll ask the witness to look at 8 Erickson Exhibit 2 as well as Erickson Exhibit 3, 9 and we're on Division 11 on Exhibit 2. 10 A. Yeah. Are you asking me to describe it? 11 Q. Yeah. 12 So why don't -- why don't you indicate how 13 you came to \$12,481 for loading dock -- 14 A. Yeah, yeah. So we received a proposal for 15 Total Service Packaging. They're -- they are a 16 vendor that -- that services and maintains dock 17 boards for a lot of freight companies. There's a 18 few groups -- I don't know if there's a few. Maybe 19 there's a half a dozen that I'm aware of that -- 20 that work for these LTL carriers and service and 21 maintain dock boards. 22 In this case, we had them give us a 23 proposal to go, and it looked to us like the dock 24 boards haven't been serviced or maintained in a 25 while. The dock bumpers were dilapidated in a lot</p>	<p style="text-align: right;">Page 81</p> <p>1 history, and so that's to take those areas -- remove 2 those canopies and redo the canopies at that 3 location. 4 Q. Would you be able just to sort of hammer 5 them back up in place or something like that? 6 A. No, no. You'll have to take it back to a 7 column line, one of the -- one of the columns that 8 cantilevers outside of the building to the other 9 side of the damage where the column cantilevers out 10 and take those members off and redo these members, 11 which, in this case, would include running purlins, 12 removing, demoing -- taking that canopy off and then 13 putting new purlins, girts, and roof sheets, and 14 flashing. 15 Q. And that's necessary to make the property 16 in good and safe operating condition? 17 A. Yes. 18 Q. Okay. Let's turn to Division 15, 19 "Mechanical." And can you describe what those items 20 are? 21 A. Yeah. On that, I think we took a number on 22 the fire protection. We made an assumption on that. 23 We felt like there had been some water leaks on the 24 dock. We saw some areas where it -- it -- it 25 appeared that at some point, the -- and I don't know</p>

<p style="text-align: right;">Page 82</p> <p>1 if a freeze had occurred or -- but with the power 2 being off on the building where the fire protection 3 had -- had released, you know, we made an assumption 4 that there's various areas of the heads that we'd 5 have to replace, you know, various heads throughout 6 the building, fire head -- sprinkler heads and have 7 various couplings and fittings that -- over the 8 office area that would need to be remediated. 9 And, again, it's -- 10 Q. So -- 11 A. -- it's difficult -- 12 Q. And I'm not -- 13 A. -- to know if that's even significant 14 enough, and you -- you -- you -- you just don't know 15 until you get the building online again. I mean, I 16 guess you do know -- 17 Q. So -- 18 A. The only way that you get certainty in a 19 deal like that is to completely remove the entire 20 system and put it back in, which I -- I'm not 21 recommending that and don't suggest that. But, I 22 mean, that's the only way you can give yourself 23 certainty to have a full new fire protection system 24 that works, and so we made the assumption that these 25 selective corrections would -- would work.</p>	<p style="text-align: right;">Page 84</p> <p>1 and the HVAC item was an item that was not on your 2 original estimate. 3 Can you describe -- and I -- I think you 4 have to some -- to some degree, but can you describe 5 why you added that and why 85,000 is a reasonable 6 number. 7 A. Yeah. On that one, we -- we made the 8 assumption that -- that we'd have to replace the 9 entire system. And when I say "system," I'm talking 10 about -- the picture showed the condensing units, 11 which are -- the condensers on the outside of the 12 building. And on the inside, we made the assumption 13 because there are various areas where it appeared 14 where there was some -- some air handlers that were 15 above the office, and, again, that would be in -- 16 let -- let -- I'll call it the attic space for -- we 17 called it a plenum space, but the attic space that 18 would be, you know, below the roof and above the 19 ceiling, and so that would be one of the -- the 20 reasons that a vandal would likely get up in the 21 ceiling and -- would be to pull the coils out of the 22 units and, you know, strip various parts of the -- 23 the air-handling units for -- for the precious 24 metals that they were looking for. So that's 25 putting new -- new air-conditioning systems in.</p>
<p style="text-align: right;">Page 83</p> <p>1 Q. Okay. So it's possible once you get in 2 there and start testing the system, it would 3 actually be more expensive? 4 A. Yes. 5 Q. And just so I understand it, so fire 6 protection, those are the overhead sprinklers and 7 that sort of thing? 8 A. Yes, sir. 9 Q. So do those sprinklers and the pipes that 10 service them, do they have water in them? 11 A. The one in the office would. That would be 12 a wet type system. And the one in the dock would be 13 a dry type. So -- but even in a dry-type system, 14 again, if you have a freeze or the power's off, 15 you'll -- you can still get frozen heads where 16 water -- you get moisture, condensation, that if -- 17 if they haven't been maintained and taken care of, 18 they freeze and break pipes. And, of course, you 19 know, the wet type system, those -- those hold 20 water. 21 Q. Okay. So it -- it sounds like from what 22 you're saying, you -- you think the \$40,000 is a 23 reasonable number, but it very well could be higher? 24 A. Yes. 25 Q. All right. Let's turn to the HVAC item,</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. Okay. So that includes the outside 2 compressors where they had taken the compressors? 3 A. Yeah. And what would be -- what would be 4 indicative of theft in the -- remember, we saw that 5 picture of that PVC pipe that was laying on the 6 ground in the bathroom? Again, to me, that feels 7 like, again, that somebody was stripping the parts 8 and pieces out of the -- the air handling -- air 9 handlers up in the attic and that that could have 10 possibly been a condensate drain that was broken, 11 you know, stepped on, knocked off down to the floor. 12 So. . . 13 Q. Okay. So you believe this is a -- a -- a 14 reasonable estimate? 15 A. Yes. We did not -- 16 Q. Okay. 17 A. Because we just -- because we just noticed 18 that, we're happy to go get a firm number on that, 19 but that was -- that -- that is obviously our 20 estimate. That's not a -- that's not a firm bid. 21 Q. That's not from a subcontractor? 22 A. Correct. 23 Q. Okay. Okay. Let's turn to Division 16 and 24 ask -- well, what -- that's a fairly large number. 25 I guess we've got three items, the biggest item</p>

<p style="text-align: right;">Page 86</p> <p>1 being electrical at \$585,000.</p> <p>2 And I'd also ask you to look at Erickson</p> <p>3 Exhibit 3 on the second two pages, which is SEFL 828</p> <p>4 and SEFL 829, and ask you to explain why a 585,000</p> <p>5 cost is necessary here.</p> <p>6 A. So we had -- obviously, after -- and the --</p> <p>7 this -- this -- I guess this vandalism was</p> <p>8 discovered before our trip, and so we were asked by</p> <p>9 Southeastern Freight Lines do we know an electrician</p> <p>10 in Tulsa. We're currently doing a project in Tulsa</p> <p>11 and asked our electrician, who seems to be a very</p> <p>12 qualified electrician, to go out and assess the</p> <p>13 damage and put together a proposal to -- to -- I</p> <p>14 don't want -- even want to use the term "fix it."</p> <p>15 There's no fixing it. It's -- it's practically a --</p> <p>16 a complete redo.</p> <p>17 There may -- you know, there's existing</p> <p>18 conduits and stuff that I think people are</p> <p>19 anticipating reusing, but, you know, through the</p> <p>20 process of -- you know, when people start going</p> <p>21 through and stripping things out, I mean, it's --</p> <p>22 you don't know what you can go back and feed wires</p> <p>23 through. You don't know what damage has been done.</p> <p>24 You've got vandals that are in the building at night</p> <p>25 or vandal -- I'm guessing it took more than one --</p>	<p style="text-align: right;">Page 88</p> <p>1 guess, let me state it a different way. You can't</p> <p>2 take old parts and pieces and merge them with new</p> <p>3 parts and pieces that are, you know, 40 years old or</p> <p>4 30 or whatever the -- however old the building is.</p> <p>5 Q. Okay. And I -- I take it that this</p> <p>6 electrical work is absolutely necessary to bring</p> <p>7 electrical power back to the building?</p> <p>8 A. Yes. I -- yes.</p> <p>9 Q. And from your review of Erickson Exhibit 3,</p> <p>10 does this look to be a reasonable estimate for the</p> <p>11 work that needs to be done?</p> <p>12 A. I -- I think it does. I'm -- in these</p> <p>13 vandalized facilities I'm -- I'm always shocked what</p> <p>14 total destruction occurs, and -- and I'm -- I mean,</p> <p>15 it's -- they're always expensive, so I -- I -- I</p> <p>16 would say yes.</p> <p>17 Q. Is it -- is it possible that once they get</p> <p>18 in and start doing the work that they may find</p> <p>19 additional items that will cost more that is not</p> <p>20 readily apparent from their estimate?</p> <p>21 A. Yeah. Yeah, certainly possible. I mean,</p> <p>22 specifically, go to their -- you go to the</p> <p>23 exclusions in their proposal, I mean, you know, some</p> <p>24 of those are -- you know, if -- if there's control</p> <p>25 wiring for the HVAC stuff, they clearly don't have</p>
<p style="text-align: right;">Page 87</p> <p>1 but, you know, going in and trying to rip out wire</p> <p>2 in -- at -- at a record pace, and so people are</p> <p>3 tugging and pulling, and it -- I mean, it just</p> <p>4 creates a total mess. I've seen this certainly</p> <p>5 occur -- unfortunately occur over the years from</p> <p>6 time to time on facilities, and it's -- it's -- it's</p> <p>7 a big deal. And the -- the issue with it -- and,</p> <p>8 again, I'm not -- I'm not getting into the technical</p> <p>9 side. I -- I'm not an electrician, so I'm not going</p> <p>10 to attest -- to speak to the ins and outs of -- of</p> <p>11 the electrical world, but, you know, what you have</p> <p>12 is you have a building that a lot of these things</p> <p>13 have to just be completely redone.</p> <p>14 International Building Code has changed</p> <p>15 over the years. So you have the original electrical</p> <p>16 components that have been installed years and years</p> <p>17 ago, and as long as those aren't tampered with,</p> <p>18 they're fine, then, you know, it -- it's not an</p> <p>19 issue for somebody to go in and add a plug or a</p> <p>20 switch. But, you know, what the cities look for --</p> <p>21 because you'll have to pull a permit on this. You</p> <p>22 know, they're going to look -- now that the facility</p> <p>23 has to be completely overhauled, you know, you're no</p> <p>24 longer grandfathered. You're running everything now</p> <p>25 to the new IBC electrical codes, which -- I -- I</p>	<p style="text-align: right;">Page 89</p> <p>1 it. We would assume in our number that we plugged</p> <p>2 in that we have the control wires for the HVAC,</p> <p>3 but -- you know, if there's any new power company</p> <p>4 fees associated with it -- I want to assume that</p> <p>5 that wouldn't be the case here, but it's definitely</p> <p>6 possible.</p> <p>7 But, yeah, I mean, an example would be</p> <p>8 that you have site conduits, and through this</p> <p>9 process of these people going in in a night and</p> <p>10 yanking and pulling wire out across the site -- and</p> <p>11 these wires -- just for clarification, they don't</p> <p>12 just lay wires in dirt. They're run through</p> <p>13 conduits, and these people are yanking and pulling</p> <p>14 and pulling and pulling as fast as they can, and,</p> <p>15 you know, through that process, you know, they</p> <p>16 damage the conduit. So when the electrician comes</p> <p>17 back and it's time for the electrician to come in --</p> <p>18 or -- or, I'm sorry, the -- the person that's going</p> <p>19 to do the rework and try to refeed -- you know,</p> <p>20 they're anticipating utilizing these -- these site</p> <p>21 conduits, so they try to refeed wire through, and</p> <p>22 it -- it's -- the conduit's damaged and cracked, so</p> <p>23 they can't feed -- they can't feed the new -- the</p> <p>24 new wire through. So you got to go in, and you got</p> <p>25 to cut the paving out. You got to repair the</p>

<p style="text-align: right;">Page 90</p> <p>1 conduit. And so that could be in various areas. 2 It -- it -- you just don't know. 3 Q. Okay. And so that -- that's the type of 4 expense that you might commonly find but is not 5 included in -- in these costs? 6 A. Correct. And from my experience, that 7 would not be the case throughout the site. Is it 8 likely that there's areas like that? Yes. Would it 9 be prudent to go in and just assume to cut out all 10 the paving and put new conduits in across the site? 11 No, that would not be -- but, yeah, I mean, 12 that's -- that's an example of a -- of a -- of an 13 unforeseen that nobody -- nobody would know until 14 it's time to do that. 15 Q. Okay. Let's move on to phone and data 16 cabling. You have \$22,500 for that. What -- what 17 is that, and what's the justification? 18 A. I mean, it looked to us like somebody'd 19 gone in on the data systems and yanked out -- I 20 mean, through this process of pulling wires, you 21 know, pulled the -- I -- I don't think there's any 22 street value for -- not any significant street value 23 for pulling data wires, but, you know, through 24 the -- through the -- the -- the chaos of yanking 25 out all the wire, people are grabbing -- I mean,</p>	<p style="text-align: right;">Page 92</p> <p>1 fire -- wire for that, for the -- the fire alarm. 2 Q. Okay. 3 A. Back -- 4 Q. So -- so it's my -- my understanding is -- 5 so the fire alarm system is -- is, in essence, 6 the -- an -- an electrical system at base? 7 A. Yeah. Yeah. The -- it's going to be a 8 low-voltage system -- 9 Q. Uh-huh. 10 A. -- so -- but in this case, you -- you have 11 a -- a much older -- I mean, all the components 12 again, it's -- it's hard to merge old technologies 13 with new ones, and -- and likely, the system that's 14 out there, it does not meet, you know, code; does 15 not meet, you know, IBC and -- and current, you 16 know, fire marshal standards. 17 And so, yeah, I mean, short of -- in our 18 business, to go in and try to piecemeal something 19 with the cost of labor these days is -- I mean, 20 takes significantly longer than -- or it can be 21 significantly -- not longer -- longer and more 22 expensive than -- but it looked to us like somebody 23 went and -- and the -- the goal was just to pull 24 anything and everything as fast as they could and 25 get it out.</p>
<p style="text-align: right;">Page 91</p> <p>1 they're -- they're yanking wires. They're pulling 2 wires as fast as they can so they can get them 3 loaded in their truck, and when they get back and 4 discover that, you know, hey, that data wire's got 5 no value, but -- I mean, I'm guessing whoever teamed 6 up and did this, I mean, they're just grabbing and 7 yanking and pulling, and -- and so you're getting 8 electrical wires, you're getting data wires, and so 9 to us, we felt like new data would be required. 10 Q. Okay. And that's a reasonable -- 22,500 is 11 a reasonable amount for that? 12 A. Yeah. Yes. 13 Q. And then can you describe what is included 14 in the \$35,000 fire alarm system. 15 A. Same thing, I mean, for the fire alarm. So 16 the fire alarm system -- you got the fire sprinkler 17 system and then the actual fire alarm. Same thing, 18 somebody's going through, they're pulling wires, 19 they're yanking wires. You know, nobody has time 20 to, you know, stop and go, "Hey, let's not pull the 21 wrong wire here." I mean, I'm guessing they're just 22 yanking and pulling everything they can to get it 23 loaded up, and when they get it back to their shop 24 and deciding what's salvageable -- but, yeah, yeah, 25 no. You -- you have to -- I mean, new -- new</p>	<p style="text-align: right;">Page 93</p> <p>1 Q. And so the \$35,000 to repair or renew the 2 fire alarm system would be a reasonable amount to 3 make the property in good and safe operating 4 condition? 5 A. Yeah, I believe so. 6 Q. Okay. So let's move on to indirect costs. 7 What -- what's contractor contingency? 8 A. Yeah. So we put contingency in the items 9 that -- contingency would be inclusive of the items 10 that are included in our proposal, okay? So an 11 example would be asphalt. You know, we go in 12 through this milling process and we discover that 13 we've got an area that -- that -- of subgrade that 14 has failed, and you got to go in and cut out that 15 section, repair it properly before you do the 16 overlay. So it's -- it's -- it's basically 17 contingency for the unforeseens on -- that -- that 18 we have listed in our proposal. 19 Q. So if, in fact, you didn't find anything 20 new other than what's listed, you wouldn't charge 21 the client \$143,874; is that correct? 22 A. That's correct. 23 Q. But, I guess, this is a number you -- you 24 had talked about a number of things that you might 25 see, so this is just a flood number to try to</p>

<p style="text-align: right;">Page 94</p> <p>1 account for that --</p> <p>2 A. Correct.</p> <p>3 Q. -- is that right?</p> <p>4 A. That's correct.</p> <p>5 Q. And based upon your experience, do you</p> <p>6 think this number is conservative or generous, or do</p> <p>7 you have any thought about -- about that?</p> <p>8 A. I would tell you that it's typical.</p> <p>9 Q. Just -- you take 10 percent, and -- and you</p> <p>10 figure that that's typical?</p> <p>11 A. Yes. Yeah, for a project of this --</p> <p>12 Q. Okay.</p> <p>13 A. -- whether it's high or low -- I mean, you</p> <p>14 know, do -- have we ever had a project that we've</p> <p>15 never had to use contingency? Yes. Is it rare?</p> <p>16 Yes. There -- there -- there's always unforeseens.</p> <p>17 Q. Okay. And what's the profit number, and</p> <p>18 why is that necessary?</p> <p>19 A. It's -- it's necessary so that at the end</p> <p>20 of the day, when we take all this risk and -- and do</p> <p>21 these various projects, that -- at the end of the</p> <p>22 day, that -- that my firm receives a -- an honest</p> <p>23 profit for the efforts that it puts in and the risks</p> <p>24 that it takes. And it also puts groceries on the</p> <p>25 table for my wife and I.</p>	<p style="text-align: right;">Page 96</p> <p>1 to hire somebody else to come out and finish their</p> <p>2 work or get it right.</p> <p>3 And so sometimes it takes two or three</p> <p>4 tries, unfortunately, and -- and, you know, a lot or</p> <p>5 most of the time, you know, we -- we bear the burden</p> <p>6 of that. That's not a -- that's not an additional</p> <p>7 cost that goes to the owner. We have a -- a</p> <p>8 stipulated sum to do a -- a specific scope of work.</p> <p>9 So an unforeseen is an unforeseen, but, you know,</p> <p>10 something else comes up and -- and -- you know,</p> <p>11 we're responsible for absorbing that cost. So, you</p> <p>12 know, the profitability -- generally, what you think</p> <p>13 you're starting a project at ends up being less.</p> <p>14 Q. Uh-huh. Okay. So why don't you take a</p> <p>15 look at the total on page 2 of Exhibit 2. Is that</p> <p>16 total the cost that you believe is at least a</p> <p>17 reasonable estimate at this point of what it would</p> <p>18 take to bring the Tulsa property up to good and safe</p> <p>19 operating conditions?</p> <p>20 A. Based on what we know from that site, based</p> <p>21 on what we had the opportunity to look at during</p> <p>22 that site walk, I would say yes. And I think we</p> <p>23 clarified that --</p> <p>24 MR. FALLON: Let me --</p> <p>25 A. -- 30 minutes ago.</p>
<p style="text-align: right;">Page 95</p> <p>1 Q. And is that an item which is in all your</p> <p>2 estimates?</p> <p>3 A. As far as 10 percent? Yeah. As far as</p> <p>4 profit? Yes, we -- I think I can safely say that</p> <p>5 we've always had profit in a -- in a job. As far as</p> <p>6 the percentage, it varies depending on the type and</p> <p>7 size.</p> <p>8 Q. Okay. And is that common in the industry?</p> <p>9 A. This specific markup or profit?</p> <p>10 Q. Just profit in general.</p> <p>11 A. Yeah. Yes.</p> <p>12 Q. And is -- is 10 percent -- how did you</p> <p>13 arrive at 10 percent in this case?</p> <p>14 A. I would say for this type and size of</p> <p>15 project and duration, you know, 10 percent's a -- a</p> <p>16 reasonable markup. It -- it -- it would generally</p> <p>17 be lower than that, and I would say some or most --</p> <p>18 a lot of cases, it's actually higher. You have to</p> <p>19 understand in my business that we have a</p> <p>20 responsibility to go out and do a defined scope of</p> <p>21 work. We hire subcontractors to do the scope of</p> <p>22 work, and some subcontractors go out and perform the</p> <p>23 work -- from time to time, they -- they perform the</p> <p>24 work and -- and fail at it, and -- which is an</p> <p>25 unfortunate circumstance, and then we've got -- have</p>	<p style="text-align: right;">Page 97</p> <p>1 MR. FALLON: Okay. Let me ask the</p> <p>2 technician to pull up SEFL 825 to 826 and mark that</p> <p>3 as Erickson Exhibit 4.</p> <p>4 (Exhibit No. 4 marked.)</p> <p>5 BY MR. FALLON:</p> <p>6 Q. Can you describe what Erickson Exhibit 4</p> <p>7 is.</p> <p>8 A. Yeah. I mean, that -- that -- that's a</p> <p>9 clarification sheet to the proposal. And if you</p> <p>10 look at the left side, I mean, it basically explains</p> <p>11 whether we have a clarification. It's got a check</p> <p>12 in the box there. If it's -- it says, "Inclusion,"</p> <p>13 then it's -- in red, it says, "Exclusion." So if</p> <p>14 you see a box there, that's -- it's scope of work</p> <p>15 that's excluded. Inclusion, obviously, speaks for</p> <p>16 itself. If there's a check under the "Inclusion"</p> <p>17 column, you know, that work's included.</p> <p>18 Q. Uh-huh. Okay.</p> <p>19 MR. FALLON: Okay. I -- let's go off</p> <p>20 the record.</p> <p>21 (Break taken, 10:42 a.m. to 10:55 a.m.)</p> <p>22 BY MR. FALLON:</p> <p>23 Q. Okay. Mr. Erickson, we're going to turn to</p> <p>24 the McAllen property. And for the record, I believe</p> <p>25 the McAllen property is at 3500 McColl Road in</p>

<p style="text-align: right;">Page 98</p> <p>1 McAllen, Texas, which I will refer to the McAllen 2 property. 3 So, Mr. Erickson, did you have an 4 opportunity to visit the McAllen property? 5 A. Yes. 6 Q. And when did you visit the McAllen 7 property? 8 A. That would have been March 6th. 9 Q. 2024? 10 A. 2024, yes. 11 Q. Was that your first visit to the property? 12 A. Yes. 13 Q. Okay. And how long did your visit last? 14 A. That visit would have been -- it was a 15 little bit smaller facility. Maybe two hours. 16 Q. Okay. And who else was present for your 17 visit to the McAllen property? 18 A. Tom Herndon with Southeastern Freight Lines 19 and then Chris Broerman with Schwob. Yeah. For 20 that site visit we -- we met with a -- a paving 21 contractor on-site for a part of that time. 22 Q. And can you just describe at least in 23 general terms where you went and -- and what you 24 looked at when you were at the McAllen property. 25 A. Yeah, I mean, we -- you know, we -- we</p>	<p style="text-align: right;">Page 100</p> <p>1 lot of things going on on that site. It -- there's 2 some areas here that have been -- have -- have been 3 patched. You can see the darker areas, which would 4 be the -- you know, patching potholes, which would 5 be indicative of subgrade failures. The top surface 6 you can see areas where gravel is on top of the 7 concrete or it looks like gravel, and, you know, 8 what -- I believe what we have going on on this site 9 is what they call raveling. 10 BY MR. FALLON: 11 Q. Raveling? 12 A. Yeah, raveling. 13 Q. Yeah. 14 How do you spell that, if you know? 15 A. You guys do know I'm a contractor, right? 16 Q. Okay. 17 A. R- -- r- -- r- -- 18 Q. Why don't you describe what it is. 19 A. R-a-v-e-l-i-n-g. 20 Q. Okay. And what's that? 21 A. Raveling is -- my understanding of raveling 22 is when you see a surface, it -- I mean, it's just 23 completely degraded on the top where the 24 asphalt -- you know, at some point, that used to be 25 one solid sheet of asphalt, and it -- it breaks</p>
<p style="text-align: right;">Page 99</p> <p>1 walked the facility. We started walking the entire 2 perimeter; walked the fence line; assessed that 3 damage; walked the paving; and then, you know, tried 4 to walk and look at the entire exterior. Kind of a 5 similar situation in Tulsa, a lot of -- there's a 6 lot of trailers that are backed up to it. There 7 were various trailers on the yard. And, you know, 8 walked on the dock, walked to the office, you know, 9 assessed the facility inside and out. 10 MR. FALLON: Okay. I'm going to ask 11 the court reporter to mark -- or the court 12 technician to mark documents Bates stamped SEFL 528 13 through SEFL 623 as Erickson Exhibit 5. 14 (Exhibit No. 5 marked.) 15 MR. FALLON: And if we could pull that 16 up, and why don't we go to SEFL 529. And -- yeah. 17 Well, why don't we just start with SEFL 529 and ask 18 the witness to describe what is in that picture and 19 what the picture shows. 20 A. Yeah. I mean, that's -- that's -- you 21 know, we're -- so we're looking at one side of the 22 paving. That would be -- the area we're looking at 23 there would be, I think, the -- the inbound side 24 coming into the facility, the -- the main runway 25 drive lane. We're looking at, you know -- there's a</p>	<p style="text-align: right;">Page 101</p> <p>1 down, and it's turned into -- I mean, it's just -- 2 it's -- it's gravelly on the top. You know, the -- 3 the -- 4 Q. Oh, gravelly with a G? 5 A. Well, no -- yeah, yeah, it's -- there's 6 gravel. The term is "raveling," I think, but the -- 7 but, yeah, it's just -- all the -- the top binder 8 has completely fallen apart. And when I say 9 "binder" -- 10 Q. Okay. When you say "binder" -- 11 A. Yeah. When you -- I -- I -- 12 Q. Yeah. When you say "binder" -- 13 A. Yeah. You're talking about -- you know, 14 the -- what -- you know, an asphalt mix has got -- 15 I'm sorry, a hot mix asphalt has, you know, a 16 combination of aggregate in it and, you know, oil, 17 you know, various compounds that they create that 18 asphalt. And over time, with -- you know, based on 19 use -- I mean, it's just -- it's -- it's -- it's -- 20 it's used. It's sun exposure, UV rays. It breaks 21 down the entire surface of the -- of the deal. 22 And, you know, I -- I think one of the 23 ways that you are able to stay away from this event 24 is by, obviously, you know, maintenance, upkeep. 25 That could have been the process of -- over -- over</p>

<p style="text-align: right;">Page 102</p> <p>1 years putting a -- a seal coat, keeping it seal 2 coated. And seal coat's basically a -- a petroleum 3 product that they go over the top of the asphalt 4 with that helps it -- you know, as that top layer, 5 you know, breaks down with UV rays, it -- it -- it 6 gives it a -- it's just a new layer that goes on top 7 that, you know, keeps it from continuing to break 8 down. 9 So, you know -- and -- and -- and, again, 10 I'm not an asphalt expert, but in my opinion, with 11 preventative maintenance, I mean, this probably 12 could have been avoided, but -- 13 Q. Uh-huh. 14 A. -- again, it -- it appears to us to be a 15 very old profile, so maybe regardless of that, it 16 would have failed. But it's definitely failed, the 17 surface. 18 Q. Is -- is this something that could just be 19 patched? 20 A. No. 21 Q. And why is that? 22 A. All -- all the -- the binder's gone on the 23 surface course. You can't -- you can't come back 24 and super glue aggregate, all -- all the loose 25 aggregate.</p>	<p style="text-align: right;">Page 104</p> <p>1 representation of what you witnessed at the McAllen 2 property? 3 A. Yes. 4 Q. Okay. And then -- 5 A. There were also -- 6 Q. -- turn to SEFL -- 7 A. There's also some areas back there -- 8 Q. I'm sorry. 9 A. You can see areas between the fence line -- 10 there's an adjacent property that's got a block wall 11 and then this fence line, and -- and you can see 12 areas where the fence is -- is -- is pushed out a 13 little bit in front of that tractor, and -- but 14 there's overgrowth. There's a -- there's a tree 15 or -- I mean, there's various things that, you know, 16 in my opinion, need to get cleaned up; otherwise, 17 it's going to continue to damage the fence. 18 Q. Is it important to have a fence around 19 these types of facilities? 20 A. Yes. Yeah, for security. 21 Q. And why -- okay. 22 A. Well -- 23 Q. And -- 24 A. -- I mean, everything they ship -- 25 Q. And the fences --</p>
<p style="text-align: right;">Page 103</p> <p>1 Q. Okay. Okay. Did you take -- take all 2 these pictures on your McAllen visit? 3 A. Yes, sir. 4 Q. Is this picture at SEFL 529 an accurate 5 representation of what you saw during your visit to 6 the McAllen property? 7 A. Yes. 8 Q. Were these taken -- did you take all your 9 pictures, the ones we saw earlier today and -- and 10 these -- were these taken with a -- a cell phone or 11 a camera? 12 A. With a cell phone. 13 Q. Okay. All right. Let's turn to SEFL 30 -- 14 530, I'm sorry, SEFL 530, and ask you to take a look 15 at that picture. What does that picture show? 16 A. Same thing, I mean, just a -- a dilapidated 17 surface. There's areas where it looks like 18 somebody's tried to do some patch where the asphalt 19 meets up to the concrete so -- and trying to patch 20 that maybe over the years. But, again, significant 21 surface wear, you know, where the gravel's come up, 22 come loose, and so you -- you lose that -- that -- 23 that -- that top wearing course, that surface 24 course. 25 Q. Okay. And that's an accurate</p>	<p style="text-align: right;">Page 105</p> <p>1 A. -- right? They're shipping -- 2 Q. -- are -- 3 A. -- goods and products. 4 Q. -- are typically fairly tall? 5 A. Yes. Yeah, the typical -- 6 Q. And they -- 7 A. A typical fence will be roughly seven feet 8 tall with a -- a strand of barbed wire -- three 9 strands of barbed wire and in front of it the guard 10 dog fence, and you may be able to see that in this 11 photo. There's kind of some larger poles in the 12 front that have horizontal wires, and that's an 13 electrified fence -- 14 Q. Okay. 15 A. -- in front. 16 Q. And so the electrified fence prevents 17 somebody from climbing it, presumably? 18 A. Yeah. I mean, I think, from what I've 19 heard, they work pretty good. I personally have 20 never bumped into one and hope I never do, but I -- 21 I know people that have. 22 Q. Okay. Let's turn to SEFL 531, and why 23 don't we look at 531 and 532 together and just ask 24 if you can describe what's shown in those pictures. 25 A. Yeah. Again, we've got dilapidated</p>

<p style="text-align: right;">Page 106</p> <p>1 asphalt. We've got areas where the -- you know, 2 that it's so dilapidated that you've got grass and 3 weeds and -- and things growing -- starting to grow 4 through it, on top of it. It's just -- again, it 5 hadn't -- simple maintenance, you know, maintaining 6 the -- the landscaping or the -- the green areas 7 around the asphalt would have probably had a 8 benefit.</p> <p>9 Q. Okay. So where that grass is, that -- that 10 was actually asphalt at one point?</p> <p>11 A. Yeah. I mean, you can sit there and drag 12 your feet. I mean, it's -- it's -- there were areas 13 of asphalt. I mean, it -- it is -- you don't pour 14 it and put it down like that, but -- and -- but, you 15 know, it's -- it's from runoff and debris and silt, 16 and -- and so that starts to sit on top of the 17 asphalt. And, of course, you know, there's enough 18 sediment to where, you know, something can grow on 19 top of it, and, of course, then you get roots that 20 grow. The roots start growing down into the asphalt 21 and -- which, obviously, damages the asphalt.</p> <p>22 So it was a typical preventative 23 maintenance. I mean, we have silt and materials 24 that are flowing -- in this case, to me, this would 25 be indicative of drainage that was going to that</p>	<p style="text-align: right;">Page 108</p> <p>1 that -- that's where you get the pothole. It's -- 2 it's -- the crater's not something where somebody 3 scooped the -- the material from the top, but it's 4 generally a failure from the bottom. So, you know, 5 people come in and -- and generally, when you do 6 that, you have to come in and -- the proper method 7 to do it is to cut it out, repair the subgrade, put 8 the material back in, and -- but what we see a lot 9 of people do is they -- you know, they just keep 10 adding more and more material, and then as that 11 section continues to sink and fail, you just add 12 more on top of it.</p> <p>13 But, again, you see this whole deal 14 where -- and, again, I -- I think -- I -- I may be 15 wrong, but I'm -- think the term is the "raveling" 16 where you just lose that whole surface and the 17 gravel. There's also areas of significant alligator 18 cracking. I know -- I don't know that we've used 19 that term here today, but where it's -- it's -- it's 20 a little hard to see with the loose aggregate and 21 stuff on the top, but I know we had some areas 22 that -- where -- and I don't -- you know, alligator 23 cracking, I -- there may be other terms for it, but 24 it's -- it's just kind of a -- a much more 25 consolidated cracking. You just see a -- a lot of</p>
<p style="text-align: right;">Page 107</p> <p>1 corner, and it was just never maintained, and -- and 2 that silt was never cleaned up and, thus, creating 3 the -- the overgrowth.</p> <p>4 Q. Okay. And 531 and 532 is an accurate 5 representation of what you witnessed at the McAllen 6 property?</p> <p>7 A. Yes. And in that photo you can see behind 8 the telephone pole, there's a -- a tree or shrub or 9 something growing between -- obviously, needs to be 10 cut down, cleaned up, removed.</p> <p>11 Q. And that's at SEFL 532?</p> <p>12 A. Yeah, I don't know what that photo 13 number --</p> <p>14 Q. Is that a yes?</p> <p>15 A. -- is, but I believe.</p> <p>16 Q. All right. Let's turn to SEFL -- why don't 17 we look at 533, 534, 535 all together. And if you 18 can page through them and tell us what's -- what's 19 in there.</p> <p>20 A. Yeah. I mean, it's the same thing. I 21 mean, you're seeing -- you're seeing potholes. 22 There's areas that have been repaired. And just for 23 clarification, you know, a pothole is generally 24 indicative of -- that the surface has failed to the 25 point that it's affected the subgrade below. So</p>	<p style="text-align: right;">Page 109</p> <p>1 cracking. You might see, you know, every one or 2 two square feet, you know, just crack after crack 3 after crack in the paving.</p> <p>4 Q. Okay. So on SEFL 533, 534, and 535, those 5 are accurate representations of what you witnessed 6 at the McAllen property?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Okay. Let me ask you to take a look at 9 SEFL 536 because you had just talked about alligator 10 cracking and ask what you see in 536.</p> <p>11 A. Yeah, I mean, that -- that would be 12 indicative of alligator cracking.</p> <p>13 Q. And that's an accurate representation of 14 what you saw at the property?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Let's skip over to SEFL 540 and ask 17 you what -- what you observed at SEFL 540.</p> <p>18 A. Yeah, I mean, that's, again, the -- the -- 19 there's -- I -- I can't tell by the exact photo if 20 that's a -- a pothole in the making, but you've got 21 a combination of the alligator cracking and then 22 you've got this delamination of the -- of all the 23 surface aggregate. It's -- there -- there -- 24 there's a lot going on.</p> <p>25 Q. Okay. And SEFL 540 is an accurate</p>

<p style="text-align: right;">Page 110</p> <p>1 representation of what you saw at the property?</p> <p>2 A. Yes.</p> <p>3 Q. And let's look at SEFL 541 and ask if you</p> <p>4 can describe what that shows.</p> <p>5 A. That's just trying to show between the</p> <p>6 fence lines all the overgrowth. You can see --</p> <p>7 Q. Uh-huh.</p> <p>8 A. -- all the overgrowth on the barbed wire.</p> <p>9 You know, at some point, you get enough overgrowth</p> <p>10 and you render the barbed wire useless.</p> <p>11 Q. And that's an accurate representation of</p> <p>12 what you saw at the McAllen property?</p> <p>13 A. Yes, sir. You got --</p> <p>14 Q. Okay. Let's take a look --</p> <p>15 A. You got a picture of a --</p> <p>16 Q. -- at SEFL --</p> <p>17 A. -- wheel stop?</p> <p>18 Q. -- 542 --</p> <p>19 A. Okay.</p> <p>20 Q. -- and 543, which I believe are the fencing</p> <p>21 or some of the fencing.</p> <p>22 A. Yeah. I mean, you can look down the fence</p> <p>23 line. Same thing, vegetation between the two. If</p> <p>24 you look down the fence line to the left, the fence</p> <p>25 is completely pushed over -- not completely, but the</p>	<p style="text-align: right;">Page 112</p> <p>1 you did talk about wheel stops, and let me ask you</p> <p>2 to explain what SEFL 544 and 545 show. That's 544,</p> <p>3 and then that's 545.</p> <p>4 So what -- what do they show?</p> <p>5 A. The previous one shows what I was just</p> <p>6 talking about, the wheel stops being damaged,</p> <p>7 destroyed, or missing. You know, it's -- that's --</p> <p>8 I'm guessing how somebody ends up backing into a</p> <p>9 fence, but -- and it's just -- again, I'm trying to</p> <p>10 get more shots of paving. There are -- there are a</p> <p>11 lot of trailers on-site so just trying to, you know,</p> <p>12 get down and underneath and -- and -- and look where</p> <p>13 you could. But, again, it's just the same things I</p> <p>14 describe in the -- the other paving photos.</p> <p>15 Q. Okay. And 544 and 545 are accurate</p> <p>16 pictures of the conditions at the McAllen property?</p> <p>17 A. Yes.</p> <p>18 Q. Why don't you take a look at SEFL 547 and</p> <p>19 548 and describe for us what you witnessed there.</p> <p>20 A. Same thing, I mean, just damaged asphalt.</p> <p>21 That -- that's indicative of a pothole that's been</p> <p>22 filled. So -- which would be indicative of subgrade</p> <p>23 damage at that area. The top surface course is</p> <p>24 wearing off. Again, I -- I believe that term is</p> <p>25 "raveling," but, you know, it's just the -- the</p>
<p style="text-align: right;">Page 111</p> <p>1 poles are bent. Fabric's bent. I mean, it's just</p> <p>2 somebody somehow backed into that one. It's a</p> <p>3 little baffling, but it's, you know --</p> <p>4 Q. Okay. And that --</p> <p>5 A. There --</p> <p>6 Q. I'm sorry, go ahead.</p> <p>7 A. There were a lot of missing wheel stops,</p> <p>8 and I think the -- I don't know if there's other</p> <p>9 photos that show, but there's -- you know, wheel</p> <p>10 stops is a good preventative measure to -- to keep a</p> <p>11 driver from backing in and hitting a fence, and, you</p> <p>12 know, if I look at this site, I -- I don't see -- I</p> <p>13 see damaged wheel stops, broken. Some are</p> <p>14 completely destroyed. But, you know, the wheel stop</p> <p>15 is -- I -- I think that's probably obvious, right?</p> <p>16 You back the trailer in and when you -- when your</p> <p>17 trailer hits the wheel stops, it keeps you -- you do</p> <p>18 it from a certain distance and -- you know, nine or</p> <p>19 ten feet away from the fence so that the trailer</p> <p>20 doesn't hit the fence.</p> <p>21 Q. Okay. Well, let me just ask you, so are</p> <p>22 SEFL 542 and 543 accurate pictures of what you</p> <p>23 witnessed at the McAllen property?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. So let's turn to 544 and 545 because</p>	<p style="text-align: right;">Page 113</p> <p>1 entire top wearing course is turning into gravel,</p> <p>2 falling apart.</p> <p>3 Q. Okay. And those pictures are accurate</p> <p>4 pictures of what you witnessed at the McAllen</p> <p>5 property?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Let's take a look at -- we'll move</p> <p>8 on up to SEFL 558, 559, 560, and 561.</p> <p>9 A. Yeah. I mean, that's just trying to take a</p> <p>10 shot of the asphalt. Shows your overgrowth of the</p> <p>11 landscaping and lack of maintenance where, you know,</p> <p>12 they're letting debris or -- somebody's allowed</p> <p>13 sediment to get over into the curb, you know, get</p> <p>14 into the paving. That's a section right there at</p> <p>15 the fence that's missing. The fence is damaged in</p> <p>16 multiple places, but it's got a -- a bird's-eye</p> <p>17 shot --</p> <p>18 Q. Okay.</p> <p>19 A. -- to get the fence line and the vegetation</p> <p>20 and the -- and -- and the asphalt.</p> <p>21 Q. Okay. So we're looking at SEFL 558, and</p> <p>22 that's the vegetation and the fence line that you</p> <p>23 spoke about?</p> <p>24 A. Yes.</p> <p>25 Q. And 559 shows the same thing, and 560 shows</p>

<p style="text-align: right;">Page 114</p> <p>1 the same thing? Let's see. Can we go to 559 and 2 560. 3 A. Yeah. 4 Q. That's 559, 560. And those are accurate 5 pictures of what you witnessed at the McAllen 6 property? 7 A. Yes, sir. 8 Q. Okay. Let's take a look at 561, SEFL 561. 9 And you -- you mentioned a gap in the fence. Can 10 you describe that on SEFL 561. 11 A. Yeah, I mean, it's just -- it's -- you can 12 see through the photo here there's a couple 13 sections. There's some poles there. There's no 14 fabric between. The barbed wire is pulled down, 15 pulled off. I -- I don't know that I witnessed on 16 that site a section that was completely open like 17 that other than that section right there, but, I 18 mean, just an example of -- you know, the fence is 19 just outright missing. 20 Q. Well, isn't it true a fence is kind of like 21 a chain, it's only as strong as its weakest link? 22 Is that fair to say? 23 A. Yeah. I mean, it's -- to me, it's pretty 24 concerning that, you know, I mean, just coming -- in 25 light of the Tulsa facility that had theft, I mean,</p>	<p style="text-align: right;">Page 116</p> <p>1 safety chain that goes across, but, you know, 2 instead of it being straight and level, it's -- it's 3 bent over, knocked over. 4 Q. Sorry, what -- what was the term you used 5 for -- for that? I'm sorry. 6 A. OSHA? An OSHA requirement? 7 Q. No, the -- what -- what -- what's knocked 8 over? You -- 9 A. Oh. 10 Q. You had a name for that? 11 A. A bollard, b-o-l-l-a-r-d. 12 Q. Okay. And what's the purpose of a bollard? 13 A. Well, I'm calling that a bollard. The 14 purpose of a bollard -- in that case, they're using 15 that bollard to put a chain across. You see the 16 chain hanging from it? Based on OSHA requirements, 17 if this dock exceeds a certain height, over 18 48 inches in height from the ground, you have to 19 have a safety chain that goes across, and I'm 20 guessing that's what they were doing because they 21 were using a bollard. If you look at the yellow one 22 in the background in front of the column, generally, 23 the main intent of a bollard is to protect -- to use 24 it to protect items, whether it be structure, 25 whether it be electrical, air-conditioning units,</p>
<p style="text-align: right;">Page 115</p> <p>1 you know, this is -- it's wide open, I mean, off of 2 a road. 3 Q. So basically -- yeah. So basically, you 4 could just walk through that missing fence area; is 5 that fair? 6 A. Yeah. And we could all have a conversation 7 tomorrow about how this thing was stripped of all 8 its electrical is what I'm guessing. 9 Q. Okay. And so SEFL 561, is that an accurate 10 picture of what you witnessed at the McAllen 11 property? 12 A. Yeah. This is 561, correct? 13 Q. Yes. 14 A. Yes. Yes. 15 Q. All right. We're going to go up to the 16 loading dock area now, so let's skip over to SEFL 17 567. 18 All right. And so the technician has put 19 up on the screen SEFL 567. Can you identify what's 20 shown in that photograph. 21 A. Yeah. I mean, they've got a bollard there 22 that's obviously been hit by a forklift. It's 23 leaning over. You know, it's -- it's -- they were 24 using that -- you could see the chains. That's used 25 as a -- a deal to probably meet OSHA. It's a -- a</p>	<p style="text-align: right;">Page 117</p> <p>1 things on the ground that you don't want to have get 2 damaged by, you know, specific traffic like 3 forklifts, vehicles, et cetera, et cetera. 4 Q. Okay. And do -- does the -- do the items 5 in 567 require repair to bring it to a safe and good 6 operating condition? 7 A. I mean, I think it differently needs to be 8 straightened up. Is it good? No. Is it safe? 9 I -- you know -- you know, steel is not -- I can't 10 speak to whether -- and maybe it was installed that 11 way. I find that hard to believe. But, you know, 12 it's -- it's -- it's leaning over, and, you know, 13 steel's not meant to bend back and forth, right? 14 It -- it -- it cracks. 15 And so I can't speak to in this current 16 situation is it safe? Has the -- have the welds 17 been -- you know, the weld been degraded because 18 it was hit? Yeah, I mean, it's -- it's absolutely 19 possible, and its -- its purpose to -- to hold a 20 safety chain, which OSHA seems to view as fairly 21 important. 22 Q. Okay. Is 567 an accurate picture of what 23 you witnessed at the McAllen property? 24 A. Yes. 25 Q. All right. Let's take a look at SEFL 568,</p>

<p style="text-align: right;">Page 118</p> <p>1 569, and 570. So that's 568, that's 569, and that's</p> <p>2 570.</p> <p>3 Can you identify what those pictures are.</p> <p>4 A. Yeah. This facility's got double doors.</p> <p>5 A -- a traditional freight facility actually --</p> <p>6 yeah, a traditional freight facility would have</p> <p>7 single overhead doors, so, for example, an overhead</p> <p>8 door that's, you know, ten feet wide by 11 feet</p> <p>9 high. In this case, you know, this one spans</p> <p>10 between two doors, and, you know, the -- the panels</p> <p>11 are severely damaged. In -- in a lot of cases, you</p> <p>12 can't even -- they don't even move. You can't even</p> <p>13 pull them -- certain ones you can't even pull down.</p> <p>14 Some of them are off their track, but, you know, a</p> <p>15 lot of -- a lot of these panels are damaged or</p> <p>16 destroyed.</p> <p>17 Q. And so do they need to be repaired or</p> <p>18 replaced to bring them into good and safe operating</p> <p>19 condition?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And are 568, 569, and 570 accurate</p> <p>22 pictures of what you witnessed at the McAllen</p> <p>23 property?</p> <p>24 A. Yes. And there -- there -- there's some</p> <p>25 better ones there that -- where you can see the door</p>	<p style="text-align: right;">Page 120</p> <p>1 that don't have the rollers, the bearings on, and</p> <p>2 hanging down, they're bent up, they're dinged up.</p> <p>3 Various panels are just, you know, almost destroyed.</p> <p>4 And so it's a lot -- lot of -- a lot of damaged</p> <p>5 doors.</p> <p>6 Q. Okay. So are 573, 574, and 576 accurate</p> <p>7 pictures of what you witnessed at the McAllen</p> <p>8 property?</p> <p>9 A. Yes.</p> <p>10 Q. And those require replacement or repair?</p> <p>11 A. Yes.</p> <p>12 Q. I'm -- I'm looking at 576. I think that's</p> <p>13 the one he has up there right now. Yeah. So that</p> <p>14 one's actually just completely off its -- off its, I</p> <p>15 guess, hinges or whatever that is, the track?</p> <p>16 A. Yeah, it's off the track. There's --</p> <p>17 there's no rollers, and it's off the track, which is</p> <p>18 not safe.</p> <p>19 Q. And -- and that -- that's a -- a</p> <p>20 significant problem?</p> <p>21 A. Yeah. I mean, it's not a problem now, but</p> <p>22 if it falls and lands on somebody's head, it's, I'm</p> <p>23 guessing, a very significant issue.</p> <p>24 Q. So it's like a property hazard; is that</p> <p>25 fair?</p>
<p style="text-align: right;">Page 119</p> <p>1 actually hanging. I mean, it's not even on the</p> <p>2 track, and I think --</p> <p>3 Q. Okay.</p> <p>4 A. -- there's some --</p> <p>5 Q. Well, let's -- let's --</p> <p>6 A. -- that are completely missing.</p> <p>7 Q. -- let's get an -- let's get an answer to,</p> <p>8 568, 569, and 570 are accurate pictures of what you</p> <p>9 witnessed at the --</p> <p>10 A. Yes.</p> <p>11 Q. -- McAllen property?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. So why don't we go ahead, then, and</p> <p>14 look at 573, 576, and 577. So that first one was</p> <p>15 573. Now he's at 576.</p> <p>16 A. Yeah. So, I mean, that's --</p> <p>17 MR. FALLON: And then go --</p> <p>18 A. Go ahead.</p> <p>19 MR. FALLON: And -- and then go to 577</p> <p>20 as well.</p> <p>21 BY MR. FALLON:</p> <p>22 Q. Okay. So you've had a chance to look at</p> <p>23 SEFL 573, 576, and 577. And what -- what are those</p> <p>24 pictures of?</p> <p>25 A. I -- I mean, just -- you got door panels</p>	<p style="text-align: right;">Page 121</p> <p>1 A. Yeah, absolutely.</p> <p>2 Q. Okay. Let's take a look at 571, 572, and</p> <p>3 then also 574 and 575. So that one is 571, and then</p> <p>4 that's 572. We saw 574 and 575.</p> <p>5 Okay. Can you describe what those are</p> <p>6 pictures of.</p> <p>7 A. That's -- I took a few photos of the -- the</p> <p>8 lighting. The lighting's hanging. A lot of them</p> <p>9 are -- look like they potentially could fall.</p> <p>10 They're just all in disarray. They're missing, you</p> <p>11 know, lens covers so if a bulb were to fall out, I'm</p> <p>12 guessing that could be fairly problematic. If the</p> <p>13 fixture were to fall, even more problematic.</p> <p>14 Q. So is it fair to say those are a hazard as</p> <p>15 well?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And are the pictures we viewed at</p> <p>18 SEFL 571 to 572 and 574 and 575 accurate pictures of</p> <p>19 what you witnessed at the McAllen property?</p> <p>20 A. Yes.</p> <p>21 Q. Let's look at SEFL 579 and SEFL 580.</p> <p>22 That -- that's 579?</p> <p>23 A. Yeah. That's -- that's at the end of the</p> <p>24 dock --</p> <p>25 Q. Okay.</p>

<p style="text-align: right;">Page 122</p> <p>1 A. -- at -- at the end of the dock on both 2 sides -- both opposing sides just off the end wall 3 where the -- the panels have been destroyed, hit 4 from the inside. You can see -- see through them. 5 So, obviously, that's not a -- not -- not a great 6 thing. You get wind-driven rains and water in the 7 building. It doesn't have to be wind driven. 8 It's -- the exterior -- the exterior envelope of the 9 building's been compromised at those two locations. 10 Q. So you can actually see through it? 11 A. Yeah. I -- I believe I'm seeing 12 through one of them right there, but I do recall 13 being able to see them through them in various 14 areas. 15 Q. Oh yeah. Oh, I see on 580, the one he has 16 up there now. Okay. Yeah. Okay. 579 and SEFL 580 17 are accurate pictures of what you witnessed at the 18 McAllen property? 19 A. Yes. 20 Q. Okay. And what -- what does SEFL 581 show? 21 A. Which -- which photo's 581? 22 MR. FALLON: Okay. Yeah, let's -- 23 let's go to SEFL 581. That one. 24 A. That -- that's just a photo looking down 25 from the dock. Again, I -- I know I've mentioned</p>	<p style="text-align: right;">Page 124</p> <p>1 visible. It -- it could prevent a -- could 2 provide -- could be a structural issue for the -- 3 for the dock channel for its longevity. At this 4 point, it's just a -- you know, if a forklift were 5 to hit it, you know, impact it somehow, could be 6 a -- could be a -- I'm guessing a -- a pretty good 7 safety issue. 8 Q. And 582 -- and -- and you were just 9 describing 584, I believe -- 10 A. Yes. 11 Q. -- is that correct? That's 584 there. 12 Okay. So 582 and 583 sow -- show the same 13 things? 14 MR. FALLON: If -- if the operator 15 will go back to 582 and 583. Let's see. We're 16 still on 584. Go back to 582 and 583. That's 17 583 -- 18 THE WITNESS: Yeah, there's -- 19 MR. FALLON: -- and -- 20 THE WITNESS: There's one view 21 where -- 22 EXHIBIT TECHNICIAN: Counsel, this is 23 -82. 24 THE WITNESS: I'm sorry. 25 BY MR. FALLON:</p>
<p style="text-align: right;">Page 123</p> <p>1 numerous times, it's -- a lot of the trailers were 2 backed up against the dock, so we were able to get a 3 bird's-eye view at certain locations, and it's just 4 kind of representative of -- of the paving between 5 the building and where trailers were -- where it was 6 hard to -- to investigate because the trailers 7 backed up to the building. But you see a lot of -- 8 you see a lot of, in that case, you know, cracking, 9 alligator cracking. 10 BY MR. FALLON: 11 Q. Okay. 12 A. Yes. 13 Q. And 581 is an accurate picture of what you 14 witnessed at the McAllen property? 15 A. Yes. 16 Q. Okay. Let's go to 582 through 584. That's 17 582, so that's 583 and then 584. What are those 18 pictures of? 19 A. That's pictures where the -- what you're 20 looking at is the dock channel on the left- -- 21 left-hand side, and the dock channel is what they 22 weld the dock levelers to. And you can see a piece 23 of an embed. I guess -- we use the term "embed" for 24 that dock channel that's generally embedded into the 25 concrete. It's been worn down to where it's</p>	<p style="text-align: right;">Page 125</p> <p>1 Q. Yeah, that's 583 that we're looking at. 2 No, I'm sorry, that's 582 we're looking at. So what 3 are we looking at in 582? 4 A. Yeah, I mean, same thing where the -- and, 5 of course, that's right at the end of the channel. 6 You can see where the -- the -- the -- it's -- it's 7 actually pulled out -- the channel's pulled out from 8 the concrete. 9 Q. And that needs to be repaired to make it in 10 good and safe operating condition? 11 A. Yes. 12 Q. Okay. 582, 583, and 584 are accurate 13 pictures of what you witnessed at the McAllen 14 property? 15 A. Yes. 16 Q. Okay. Let's -- let's go ahead and look at 17 the interior of the property, so let's move on to 18 SEFL 586. And so what are we looking at in 586? 19 A. That's just a -- that's just a shot -- 20 the -- that'd be the demising wall that separates 21 the -- the dock from the office, so that'd be from 22 the -- from the dock side looking towards the 23 exterior of the office wall from the dock. 24 Q. Okay. 25 A. And it's just -- it hadn't been maintained,</p>

<p style="text-align: right;">Page 126</p> <p>1 fairly dilapidated. I'm -- I'm not pointing out any 2 significant issue with that. It just needs to be 3 cleaned up, repainted, just taken care of. It 4 hadn't been taken care of at all.</p> <p>5 Q. Okay. Well, let's go to SEFL 587 and 588 6 and ask you to describe what those pictures are.</p> <p>7 A. It's the office, and this one was in 8 really, really bad shape. I mean, the floors are 9 stained. There's areas where the floor's worn 10 through. You know, the walls are in disarray. 11 There's areas where they pulled -- yanked -- you 12 know, he pulled things off. I don't guess -- it's 13 not in this photo here, but, you know, where 14 somebody maybe had some sort of an encasement or 15 something on the wall, and then they removed that 16 and put something else up, and so you can see -- 17 kind of see the orange stripe, and -- and somebody 18 else puts a -- a tack board up over it, and -- 19 but -- so it's various holes in the wall and -- and 20 just -- it's -- it's not -- you can look at the 21 light fixture. You know, there's no lens cover over 22 the ballast. You know, a lot of the door hardware 23 was either inoperable or just in bad shape.</p> <p>24 Q. Okay. So let's look at 587 in particular. 25 I think you had -- can -- do you have any commentary</p>	<p style="text-align: right;">Page 128</p> <p>1 Q. I'm sorry.</p> <p>2 A. Just -- if you go back again, another 3 example, we talked about it in Tulsa, but look at 4 the floor area in front of the doors on the left- 5 and right-hand side where the floor is completely 6 worn through the -- the top layer of the floor tile, 7 again, likely from people not putting chair mats 8 underneath the chairs.</p> <p>9 Q. Okay. And this is -- okay. We're -- we're 10 stopped at SEFL 588. So these are your comments on 11 SEFL 588?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And that's an accurate picture of 14 what you witnessed at the McAllen property?</p> <p>15 A. Yes.</p> <p>16 Q. And so that just needs a new floor. Are 17 there -- is -- is there any way to clean and polish 18 that up?</p> <p>19 A. No, not to have any level of consistency. 20 I mean, you still always see the areas where it's 21 been worn through the top layer. And, you know, 22 some of these areas would clean up maybe a little 23 bit, but some of those areas, it -- it's probably 24 unlikely.</p> <p>25 Q. Okay. Let's look at SEFL 590. Is that an</p>
<p style="text-align: right;">Page 127</p> <p>1 on the floor there?</p> <p>2 A. Yeah. I mean, the floor, it's -- it's -- 3 it's -- I mean, it -- again, with -- had it been -- 4 in -- in my opinion, had it been, you know, 5 maintained over the years and -- and, you know, 6 cleaned and waxed, that -- you know, we probably 7 wouldn't be looking at this and -- and dealing with 8 it. But, again, a lot of complete floor wear 9 where -- areas that it's -- it's worn through the 10 surface of the -- of the -- of the -- the vinyl 11 composition tiles. You know, you can go in there 12 and scrub it and clean and it may look a little 13 better, but it would not -- it -- it would not look 14 good at all.</p> <p>15 Q. Is 587 an accurate picture of what you 16 witnessed at the McAllen property?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And is 588 -- SEFL 588, is that an 19 accurate picture of what you witnessed at the 20 McAllen property?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And how about SEFL --</p> <p>23 A. Let me stop you right --</p> <p>24 Q. -- 590?</p> <p>25 A. Let -- let me stop you right there.</p>	<p style="text-align: right;">Page 129</p> <p>1 accurate picture of what you witnessed at the 2 McAllen property?</p> <p>3 A. Yes. And you can see the worn --</p> <p>4 Q. And that's --</p> <p>5 A. -- areas --</p> <p>6 Q. -- actually --</p> <p>7 A. That's from the other angle, but you can 8 see in the -- of the gentleman right there at the 9 door on the left- and right-hand side where the 10 floor is worn through.</p> <p>11 Q. Okay. Why don't you take a look at SEFL 12 591 and let me know if -- if you know what -- what 13 that is.</p> <p>14 A. Yeah, that's a mop sink, and they've -- 15 they've got some sort of a condensate drain or 16 something for an HVAC unit that has been rigged up 17 to the -- to the sink, which I -- has got to be a 18 significant code issue.</p> <p>19 Q. And so when you say "a condensent" -- 20 "condensate drain," that's the water that's drained 21 from the air conditioning?</p> <p>22 A. Yes, sir. I -- I believe that that's what 23 it is. There -- there -- it -- maybe they had an 24 ice maker or something before, but, again, you know, 25 connecting it to the actual faucet is not -- not a</p>

<p style="text-align: right;">Page 130</p> <p>1 generally acceptable method.</p> <p>2 Q. Okay. And 591's an accurate picture of</p> <p>3 what you saw at the McAllen property?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Okay. Let's take a look at SEFL 592, and</p> <p>6 if you can tell us what that is.</p> <p>7 A. Yeah. They had some sort of a roof leak,</p> <p>8 and it was still damp and wet when we were there.</p> <p>9 My understanding, you could look up through it and</p> <p>10 see where the water was leaking through the roof.</p> <p>11 In -- in this case, in this building, unlike the</p> <p>12 Tulsa one, this has got a hard drywall ceiling in</p> <p>13 it. So the other ones have the -- the -- the</p> <p>14 ceiling tiles with the grid system. This office</p> <p>15 specifically has -- it's -- it's -- it's a</p> <p>16 preengineered metal building, but it's got a wood</p> <p>17 framing -- some -- some sort of a -- a wood truss,</p> <p>18 wood frame ceiling. And so, you know, there's water</p> <p>19 damage in the ceiling and -- and -- which I'm</p> <p>20 guessing could turn into a potential mold issue.</p> <p>21 Q. Is it possible that there's mold already</p> <p>22 there?</p> <p>23 A. It -- it -- it's difficult to say. I mean,</p> <p>24 I don't know how long the leaks persisted. I mean,</p> <p>25 it's possible if it -- you know, as long as the --</p>	<p style="text-align: right;">Page 132</p> <p>1 things, you get these urine stains, and urine</p> <p>2 generally etches floor tiles and damages them.</p> <p>3 BY MR. FALLON:</p> <p>4 Q. And is that a condition you witnessed in</p> <p>5 the -- in the bathroom at McAllen?</p> <p>6 A. Yes.</p> <p>7 Q. And SEFL 593 is an accurate picture of what</p> <p>8 you witnessed at the McAllen property?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. Let's go to SEFL 594 and ask you to</p> <p>11 identify what that is.</p> <p>12 A. That's just -- that's just a closer shot of</p> <p>13 the ceiling that we were looking at in the earlier</p> <p>14 photo. You can see up -- you can see the hole in</p> <p>15 the roof. There were some penetrations. I -- I</p> <p>16 believe there were more, but that's likely the --</p> <p>17 the -- the culprit of that, that specific issue.</p> <p>18 Q. Uh-huh.</p> <p>19 A. We're looking at --</p> <p>20 Q. Okay.</p> <p>21 A. -- wet insulation, not. . .</p> <p>22 Q. So -- so that's looking up at the ceiling</p> <p>23 in the bathroom?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And SEFL 594 is an accurate picture</p>
<p style="text-align: right;">Page 131</p> <p>1 the leak's managed and managed timely and it dries</p> <p>2 out, there's pretty simple procedures to -- you</p> <p>3 know, to -- to -- to manage that. Like everything</p> <p>4 else, if it's persisted for a while and -- and --</p> <p>5 you just don't know till you get into it. We --</p> <p>6 Q. Yeah.</p> <p>7 So -- so you don't know if it was properly</p> <p>8 managed or not?</p> <p>9 A. No. I mean, what I do know is that when we</p> <p>10 were there, it still wasn't managed.</p> <p>11 Q. All right. Is SEFL 592 an accurate picture</p> <p>12 of what you witnessed at the McAllen property?</p> <p>13 A. Yes.</p> <p>14 Q. Let's see. And what does SEFL 593 show?</p> <p>15 EXHIBIT TECHNICIAN: Counsel, I'm</p> <p>16 sorry, give -- tell me the Bates number again. I</p> <p>17 think that --</p> <p>18 MR. FALLON: Sure. SEFL 593. It's</p> <p>19 the next picture.</p> <p>20 EXHIBIT TECHNICIAN: Ah, thank you.</p> <p>21 MR. FALLON: There we go. That one.</p> <p>22 A. Just a bathroom in disarray, floors that</p> <p>23 are dilapidated, that haven't been taken care of.</p> <p>24 You've got -- below the urinals, you know, it --</p> <p>25 when -- when you're not cleaning and maintaining</p>	<p style="text-align: right;">Page 133</p> <p>1 of what you witnessed in the bathroom at the McAllen</p> <p>2 property?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. What does SEFL 595 show?</p> <p>5 A. It -- again, indicative of the -- the</p> <p>6 floors that we were seeing. I mean, severe floor</p> <p>7 staining. The walls are not only dirty but gouged</p> <p>8 areas where people were hanging things on the walls</p> <p>9 where there's holes and -- so requiring patch and</p> <p>10 repairs. But just another photo that's kind of</p> <p>11 indicative of what we've seen on the other flooring</p> <p>12 photos.</p> <p>13 Q. Okay. That's a -- an accurate picture of</p> <p>14 what you witnessed at the McAllen property?</p> <p>15 A. Yeah. And I can't remember if that was the</p> <p>16 location that had -- looked like maybe it used to</p> <p>17 have vending machines or something or ice maker, and</p> <p>18 so -- and -- and it looked like maybe there had been</p> <p>19 some water leaks and stuff that, you know, damaged</p> <p>20 floor tiles.</p> <p>21 Q. Okay. Why don't you take a look at SEFL</p> <p>22 598 and ask if you can identify what that shows.</p> <p>23 A. Yeah. I mean, that's an area where just --</p> <p>24 again, trying to take a -- a photo of the room</p> <p>25 itself, but if you look at the wall, they had some</p>

<p style="text-align: right;">Page 134</p> <p>1 sort of a tack board, chalk board, something up 2 there, and somewhere through the course of business, 3 somebody decided to, I guess, peel it off the wall 4 or -- I -- I don't know. 5 Q. And that SEFL 598 is an accurate picture of 6 what you saw at the McAllen property? 7 A. Yes. 8 Q. I don't know. Can you identify what is at 9 SEFL 602? It's kind of dark. 10 A. Could y'all -- you mind pulling the photo? 11 MR. FALLON: Yeah, move -- move to 12 SEFL 602. 13 BY MR. FALLON: 14 Q. If you want us to stop at any of these 15 other photos, just let us know. 16 A. Yeah. I think that was a -- I don't know 17 if it was the break room or -- I don't know if that 18 was a -- it wasn't the break room. Had some 19 countertops and stuff in it, areas of floor 20 staining, severe floor staining, floor wears -- 21 Q. Okay. 22 A. -- wall -- you know, the -- kind of the 23 typical wall damage that we saw throughout the 24 office. 25 Q. All right. Let's go SEFL 603. And what is</p>	<p style="text-align: right;">Page 136</p> <p>1 identify that. And we can look at 608, 609, and 610 2 together. That's 608. 3 A. Yeah. I mean -- 4 MR. FALLON: And then move to -- 5 A. I mean, you know -- 6 BY MR. FALLON: 7 Q. Go ahead. 8 A. -- severely -- 9 MR. FALLON: -- 608. 10 A. -- severely dirty, stained tiles. Again, 11 the -- you look at those areas where it's kind of 12 hazy, that circle. I mean, it's just -- it's -- 13 it's worn through the -- worn through the tile -- 14 through the -- through the surface of the tile. 15 BY MR. FALLON: 16 Q. Okay. SEFL 608 is an accurate picture of 17 what you witnessed at the McAllen property? 18 A. Yes. 19 Q. All right. And how about SEFL 609? 20 A. Yeah. I mean, that's a -- it's a locker 21 room. It's, again, a lot of -- lot of floor 22 staining, but, again, we've got areas in there where 23 it -- the -- the surface is just worn off. I mean, 24 you can see -- 25 Q. Okay.</p>
<p style="text-align: right;">Page 135</p> <p>1 SEFL 603? 2 A. That's looking at an air handler that was 3 in a closet, and they -- I -- I don't know what the 4 game plan was with this, but the air-conditioning 5 unit is in a closet, and the supply air plenum is 6 down at the bottom. So that thing's sitting on a 7 stand, and it's sucking air from the bottom. And 8 then there's a vent cut out of the side of the 9 closet that, I guess, effectually is -- is the 10 intake air. I -- we were just opening it up, and in 11 the process of opening the door, it was -- you could 12 tell when you pulled the door open, it created a 13 vacuum. 14 Q. Uh-huh. 15 A. So, you know, I -- I don't know if it's 16 always been like this. The unit's fairly new, so 17 I -- I would say that this is a -- probably a major 18 code no-no. 19 Q. It's not the way you'd normally do 20 construction? 21 A. No. Maybe -- 22 Q. Okay. Let's turn -- 23 A. Maybe -- maybe how they do it in McAllen, 24 but no. 25 Q. And let's turn SEFL 608 and ask if you can</p>	<p style="text-align: right;">Page 137</p> <p>1 A. -- two or three -- 2 Q. And that -- 3 A. -- circles in the photo on the ground. And 4 then, of course, the walls, typical damage. I don't 5 really -- I guess, I even thought about it until I 6 just looked at this photo. I don't know what's 7 behind the gentleman that's standing there that runs 8 down the wall that has a filter on it, but that 9 seems fairly odd, and I'm fairly certain we didn't 10 put any dollars to remedy that. I don't know what 11 it is. 12 Q. Okay. And SEFL 609 is an accurate picture 13 of what you witnessed at the McAllen property? 14 A. Yes. 15 Q. Okay. Why don't we go to SEFL 610. 16 Anything remarkable there? 17 A. Well, yeah, the American flag, that's 18 pretty remarkable. You know, same condition. I 19 mean, the floor just -- it's -- you got areas of 20 surface wear. You've got -- it's -- it's like it -- 21 it hadn't been cleaned and maintained. You see a 22 light fixture ballast -- or not ballast, I'm sorry, 23 the lens cover laying on the ground, you know, 24 gouges and debris and dirt all over the walls, 25 again, indicative of what we've been seeing in these</p>

<p style="text-align: right;">Page 138</p> <p>1 others photos.</p> <p>2 Q. Okay. And SEFL 610 is an accurate picture</p> <p>3 of what you witnessed at the McAllen property?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Why don't we have the operator just</p> <p>6 scroll through SEFL 611 through -- well, why -- why</p> <p>7 don't we just scroll slowly through there, and then</p> <p>8 if you see anything remarkable, why don't you ask us</p> <p>9 to stop.</p> <p>10 A. Yeah, those are -- the intent of those</p> <p>11 photos were to just take photos of the exterior of</p> <p>12 the building. That's -- right there, the fence, the</p> <p>13 gate, the post is bent.</p> <p>14 Q. Okay. So we're at SEFL 612 there. Yeah,</p> <p>15 that's 612 with the fence?</p> <p>16 A. Yes.</p> <p>17 Q. Okay.</p> <p>18 A. Showing -- that's -- that's the main drive</p> <p>19 coming into the facility, the inbound. I guess they</p> <p>20 were using it as both probably inbound and outbound.</p> <p>21 Not probably. I know they are. So arguably, the</p> <p>22 highest-traffic lane in the entire building.</p> <p>23 It's -- again, it's -- it's -- it's cracking. It's</p> <p>24 potholed. But, you know, that specific drive-in</p> <p>25 right there will take all the traffic -- you know,</p>	<p style="text-align: right;">Page 140</p> <p>1 there just a second. Is that an accurate picture of</p> <p>2 what you witnessed at the McAllen property?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. We'll move on from 616. That's 617.</p> <p>5 MR. FALLON: We can go to 618.</p> <p>6 BY MR. FALLON:</p> <p>7 Q. Okay. This is SEFL 618. Does that show</p> <p>8 some -- okay. We're on the -- SEFL 619. What does</p> <p>9 that show?</p> <p>10 A. Severe cracking on the surface. I guess</p> <p>11 that would be what they call alligator cracking, but</p> <p>12 it's just fractured everywhere on the surface.</p> <p>13 Q. Okay. And is that an accurate picture of</p> <p>14 what you witnessed at the McAllen property?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. We can go on from there. That's</p> <p>17 621, 622, 623. Okay.</p> <p>18 All right. So that -- we've been through</p> <p>19 Erickson Exhibit 5. Why don't we try and look at</p> <p>20 the condition of the roof, and then we'll -- we'll</p> <p>21 take a short break for lunch, if that works for</p> <p>22 everybody.</p> <p>23 MR. FALLON: Okay. Let's have marked</p> <p>24 as Erickson Exhibit 6, a document with Bates Stamp</p> <p>25 SEFL 679.</p>
<p style="text-align: right;">Page 139</p> <p>1 everything coming in and out of the facility.</p> <p>2 Q. Okay. And that's SEFL 614, and that's an</p> <p>3 accurate picture of what you witnessed at the</p> <p>4 McAllen property?</p> <p>5 A. Yes.</p> <p>6 Q. Okay.</p> <p>7 A. Just another -- just taking some exterior</p> <p>8 shots of the building. Nothing -- I mean, it's --</p> <p>9 doesn't look great. Probably use a -- a coat of</p> <p>10 paint. I'm not even sure that that's -- I guess we</p> <p>11 probably would've -- I'm not sure if we included</p> <p>12 that or not. I'll have to look here in a second,</p> <p>13 but -- but, yeah, it -- just trying to take some</p> <p>14 exterior shots.</p> <p>15 Q. Okay. And that's SEFL 615.</p> <p>16 A. Yeah. So the --</p> <p>17 Q. Okay. Now we're on to SEFL 616.</p> <p>18 A. Yeah. So this is a photo of the office</p> <p>19 lot. The office, again, indicative of the -- the</p> <p>20 surface aggregate delaminating; potholes that had</p> <p>21 been repaired; a lot of cracking, alligator</p> <p>22 cracking, or -- a lot -- a lot of cracking.</p> <p>23 Q. Okay. That's SEFL 616.</p> <p>24 A. Yeah.</p> <p>25 Q. And is SEFL 616 -- why don't we go back</p>	<p style="text-align: right;">Page 141</p> <p>1 (Exhibit No. 6 marked.)</p> <p>2 A. Yeah. I mean, the roof is -- I don't know</p> <p>3 if you want to show a few more.</p> <p>4 BY MR. FALLON:</p> <p>5 Q. Okay. Well, we -- yeah, we can --</p> <p>6 MR. FALLON: We'll mark as Erickson</p> <p>7 Exhibit 7 -- SEFL 682 will be Erickson Exhibit 7,</p> <p>8 and then Erickson Exhibit 8 will be SEFL 683, and</p> <p>9 then how about Erickson Exhibit 9 will be SEFL 688,</p> <p>10 and SEFL 692 will be Erickson Exhibit 10, and SEFL</p> <p>11 694 will be Erickson Exhibit 11, and then SEFL 702</p> <p>12 will be Erickson Exhibit 12.</p> <p>13 (Exhibit Nos. 7 - 12 marked.)</p> <p>14 BY MR. FALLON:</p> <p>15 Q. Why don't we start with Erickson Exhibit --</p> <p>16 well, why -- why -- we can page through them, and</p> <p>17 then if -- once you identify a picture that you want</p> <p>18 to talk about or that shows the -- the condition of</p> <p>19 the roof, why don't you just stop the operator, and</p> <p>20 then I can identify which exhibit it is, and -- and</p> <p>21 then we can talk about it.</p> <p>22 A. Yeah. No, I mean, you did a good job of</p> <p>23 showing a handful of the photos. I don't know that</p> <p>24 this one shows it the best, but some of the</p> <p>25 others -- I mean, it appears that there's a lot of</p>

<p style="text-align: right;">Page 142</p> <p>1 rusting occurring on the roof, you know, corrosion 2 on the roof in various areas, between the ribs, on 3 the ribs, on the fasteners, at the ridge, which 4 is -- you know, it -- it's concerning. In fact, I'm 5 curious as to -- I don't know -- at the front of the 6 building there was a new roof that was put on. 7 It -- you can see it from the aerial right there -- 8 if that was just an addition or something that had 9 corroded to the point that it needed to be added. 10 But -- but, yeah, I mean, the unfortunate 11 circumstance here is that it's probably -- was 12 completely avoidable if somebody just maintained it, 13 and, you know, a part of that process would be 14 probably -- you know, not -- not so much now, but in 15 the past before the corrosion occurred, to go in 16 and -- and clean and -- and -- and put some sort of 17 a -- a roof-coating product, which is generally 18 fairly reasonably priced, cheap compared to an 19 alternative. 20 But, yeah, I mean, once you get a -- you 21 get a building that starts rusting, you can't -- 22 it's not as simple as to just go in and -- I mean, 23 you certainly can't coat over it, and it's 24 marginally at best -- to try to clean those areas 25 and try to coat over it is still questionable, and,</p>	<p style="text-align: right;">Page 144</p> <p>1 properties that, you know, we viewed as -- as the 2 roof being in good condition like they had been 3 maintained, taken care of, this roof appeared to 4 have not, you know, with the corrosion, the rusting. 5 You know, we looked at it as a -- a -- as a complete 6 reroof, taking the -- the metal panels off and 7 putting new metal -- metal panels back on. 8 Q. Would this -- would -- would you walk on 9 this roof? 10 A. Certain areas I would not for sure. I -- I 11 mean, no, I wouldn't -- I -- first of all, I'm 12 scared of heights. Second of all, no. I mean, 13 certain -- I mean, I -- I -- I wouldn't, but it's -- 14 there's areas that are rusted, and -- and, you know, 15 I -- I guess if I had to, I -- I might try to work 16 my way through it, but -- but, no, I mean, it's -- 17 it's -- it's -- it's not a good idea when you start 18 to have corrosion and stuff on roofs to -- that's a 19 good way to step through an area and fall to the 20 bottom. 21 Q. Okay. Is it common to use a drone to take 22 photos of a roof on a property to assess the roof's 23 condition? 24 A. Yeah. I mean, as to get an initial basis 25 of what you're seeing and doing, yes.</p>
<p style="text-align: right;">Page 143</p> <p>1 you know, it -- it's -- it's not in great shape, 2 and, like I said, with some basic maintenance over 3 the years, I mean, it's probably completely 4 avoidable. 5 Q. So we've been looking at photos of the 6 roof. These are Erickson Exhibits 6, 7, 8, 9, 10, 7 11, and 12. 8 And so just generally, why -- why don't 9 you just tell us for the record what these are 10 pictures of. 11 A. Of -- 12 Q. These are pictures of the roof at the 13 McAllen -- 14 A. Yes. 15 Q. -- property? 16 A. Yes. Yes. Pictures of the roof, yes, at 17 the McAllen facility. And -- 18 Q. And then how -- how did you take these 19 pictures? 20 A. Those photos came from -- those were -- 21 came from Southeastern Freight Lines. 22 Q. Okay. So how -- what -- what would you 23 need to do to put this roof in -- in good and safe 24 operating condition? 25 A. We -- this was -- compared to the other two</p>	<p style="text-align: right;">Page 145</p> <p>1 Q. Okay. Did -- did they take these pictures 2 when you were there, or were these other just 3 provided otherwise? 4 A. Provided otherwise. 5 Q. Okay. 6 A. You know, one -- one of the -- by the time 7 you go in -- in this case here, I guess, kind of the 8 way we looked at it was you've got all these areas 9 that have rust. You've got panels that have to come 10 out. And -- and -- and let's say, for example, not 11 all of them have to come out. Well, now you're 12 talking about a -- a much more piecemealed repair. 13 All the fasteners are rusted. You have to pull all 14 the fasteners out. And all these areas that if -- 15 if they even had that questionable rust, you go in. 16 You got to clean, prep, and, you know -- and that -- 17 that operation's -- that -- that's expensive to -- 18 to try to do it, to -- to piecemeal it. So we -- we 19 just kind of viewed it as a -- and, again, the other 20 two roofs were fine in our opinion, but this one 21 felt to us like it -- it could use a new roof. 22 MR. FALLON: Okay. Let's go off the 23 record. 24 (Break taken, 12:06 p.m. to 12:46 p.m.) 25 MR. FALLON: Okay. Let me have the</p>

<p style="text-align: right;">Page 146</p> <p>1 court reporter mark SEFL, series of 0s, 518 and have 2 that be marked as Erickson Exhibit 13. 3 (Exhibit No. 13 marked.) 4 MR. FALLON: If we can pull up 5 Erickson Exhibit 8, which is SEFL 1518. 6 BY MR. FALLON: 7 Q. And I'll ask you -- 8 EXHIBIT TECHNICIAN: Counsel, I'm -- 9 I'm -- I'm sorry, this is actually Exhibit 13. 10 MR. FALLON: Oh -- oh, yeah. Did I 11 say something else? Sorry. 12 EXHIBIT TECHNICIAN: You -- you said 13 Exhibit 8. That's okay. 14 MR. FALLON: Oh, okay. Okay. 15 BY MR. FALLON: 16 Q. It's SEFL 518, and we're looking at 17 Erickson Exhibit 13. Sorry. Okay. So the operator 18 has brought up Anderson (sic) Exhibit 13 on the 19 screen. And can you identify that document? 20 A. Yes. 21 Q. And what is that document? 22 A. It's an estimate summary for McAllen. 23 Q. Okay. And is this something that was 24 prepared under your direction and supervision? 25 A. Yes.</p>	<p style="text-align: right;">Page 148</p> <p>1 you identify what has been marked as Erickson 2 Exhibit 14? 3 A. Yes. 4 Q. And what -- what is Erickson -- 5 A. I'm sorry. 6 Q. -- Exhibit 14? 7 A. It's a -- it's the paving -- the 8 subcontractor -- or the asphalt contractor that put 9 together the proposal for this, for the two-inch -- 10 for a two-inch overlay on the asphalt. 11 Q. Okay. And so you're identifying the first 12 two pages of Exhibit 14, which is SEFL 511 and SEFL 13 512? 14 A. Yes. And I guess that other one is -- 15 Q. Okay. And then what's SEFL 513, which is 16 part of Erickson Exhibit 14? So SEFL 513 is the 17 page before that. It's an e-mail -- or appears to 18 be an e-mail from Sam Holl to a Chris Broerman. 19 Can you see that? 20 A. Yes. Yeah, that's budget -- yes. And 21 that's -- 22 Q. Okay. And -- and what is that? 23 A. That's -- again, is budget numbers for the 24 labor installation for the -- the overhead doors on 25 McAllen on a unit cost basis.</p>
<p style="text-align: right;">Page 147</p> <p>1 Q. Okay. And generally, what is that estimate 2 intended to reflect? 3 A. An estimate -- or, I'm sorry, estimate of 4 the assessed damages that -- from our site walk, the 5 repairs to the building that -- the things that we 6 pointed out, you know, talked -- discussed in the 7 photo, estimate of the cost to -- to fix and repair 8 those. 9 Q. Okay. Did anyone assist you in preparing 10 this estimate? 11 A. Yes, Chris Broerman, who's -- 12 Q. And -- 13 A. -- one of our estimators. 14 Q. -- was he -- who's -- I'm sorry. 15 A. Who -- he's one of our estimators. 16 Q. Oh, okay. And then was he with you on the 17 site walk at the McAllen property? 18 A. Yes, sir. 19 MR. FALLON: Okay. While we're at it, 20 let's go ahead and mark SEFL 511 through SEFL 517, 21 and we -- we will mark that as Anderson Exhibit 14. 22 (Exhibit No. 14 marked.) 23 BY MR. FALLON: 24 Q. All right. And Anderson Exhibit -- 25 Erickson Exhibit 14 is a multipage document. Can</p>	<p style="text-align: right;">Page 149</p> <p>1 Q. Okay. And then can you take a look at SEFL 2 514, which is still part of Erickson Exhibit 14, and 3 identify what that is? 4 A. Yeah. That's a proposal from Total Service 5 Packaging regarding the service and maintenance of 6 the -- the dock levelers, dock boards. 7 Q. Okay. And does that estimate pertain to 8 the McAllen property? 9 A. Yes. 10 Q. Okay. And then what's SEFL 515 to 517? 11 MR. FALLON: So let's see. Looks like 12 we're still on SEFL 514. Can the operator go to 515 13 through 17? 14 BY MR. FALLON: 15 Q. That's 515, 516, 517. Do you know what 16 those pages are? 17 A. Yes. Yes. That's a proposal that's put 18 together by my steel group after we got back and 19 determined what we believed would be a -- a -- a 20 reroof -- 21 Q. Okay. 22 A. -- on the project. 23 Q. And, again, so these are -- Erickson 24 Exhibit 14 are various proposals from subcontractors 25 for the McAllen property; is that correct?</p>

<p style="text-align: right;">Page 150</p> <p>1 A. Yes.</p> <p>2 Q. And it's common for you and other general</p> <p>3 contractors to rely on information from reliable</p> <p>4 subcontractors; is that fair?</p> <p>5 A. Yes.</p> <p>6 Q. And do you believe the subcontractors whose</p> <p>7 information is contained in Erickson 14 to be</p> <p>8 reliable and market-priced subcontractors?</p> <p>9 A. Yeah, I believe so. I -- I would say the</p> <p>10 only caveat to that would be this proposal that was</p> <p>11 put in-house by our steel group. Again, it was kind</p> <p>12 of determined postmortem that -- of the -- the</p> <p>13 buildings we inspected that this one would be a</p> <p>14 candidate for a -- a reroof. And so we did it, I</p> <p>15 guess, if you want a -- the proposal in-house with</p> <p>16 our steel division, so, you know, I would call that</p> <p>17 a local subcontractor.</p> <p>18 Q. Okay. So that's your affiliated company?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Do you think that the price from</p> <p>21 Schwob Steel Services reflected in Erickson</p> <p>22 Exhibit 14 is a fair market price?</p> <p>23 A. I mean, I -- I think it's a fair market</p> <p>24 price, but I will -- what I would say is compared --</p> <p>25 as we're talking about these other proposals, I</p>	<p style="text-align: right;">Page 152</p> <p>1 So, no, we have not worked with them.</p> <p>2 Q. Okay. All right. Let's turn back to</p> <p>3 Erickson Exhibit 13, which is the estimate summary,</p> <p>4 and why don't you walk us through at the -- the</p> <p>5 biggest item there is project and field management</p> <p>6 at 73,306, and I believe you had described that in</p> <p>7 connection with the Tulsa property.</p> <p>8 Is there anything different about that</p> <p>9 number on the McAllen property that you could say in</p> <p>10 addition or doesn't apply to the McAllen property as</p> <p>11 opposed to the Tulsa property?</p> <p>12 A. No. I mean, it's -- it's -- it's -- it's</p> <p>13 generally the same general conditions, general scope</p> <p>14 of work. The numbers may vary a little bit as far</p> <p>15 as, you know, the amount of dumpsters. It's a</p> <p>16 smaller -- a bit smaller scope of work, a smaller</p> <p>17 building. And so, you know -- you know, temporary</p> <p>18 dumpsters and -- and the waste management side is a</p> <p>19 little bit cheaper, I think. I'd have to go back</p> <p>20 and look at the other one, but -- but, no, I mean,</p> <p>21 as far as the duration, again, the duration of the</p> <p>22 project's what drives the -- drives the -- the cost</p> <p>23 of the project management and field management.</p> <p>24 That -- that's driven by time of a project, not</p> <p>25 the -- not the -- not the dollar amount. It's --</p>
<p style="text-align: right;">Page 151</p> <p>1 think it is important -- again, time didn't lend</p> <p>2 itself. We didn't determine this is a potential</p> <p>3 need till postmortem; otherwise, the prudent thing</p> <p>4 would have been to have met with somebody, a</p> <p>5 contractor that can do this type of work locally.</p> <p>6 Is it possible or likely that that price would be</p> <p>7 cheaper -- a little bit cheaper from a local</p> <p>8 subcontractor? Yes, absolutely.</p> <p>9 Q. Okay. How about -- looking at the proposal</p> <p>10 from Bernal Paving & Maintenance, which is at SEFL</p> <p>11 511 to 512, have you worked with Bernal Paving &</p> <p>12 Maintenance before?</p> <p>13 A. I have not.</p> <p>14 Q. Okay. Where did you get their name?</p> <p>15 A. We got it from -- we kind of have a</p> <p>16 database of various contractors and various</p> <p>17 tradesmen in different areas. We tried to reach out</p> <p>18 to another paving contractor, somebody that we were</p> <p>19 more familiar with that had done a facility for</p> <p>20 us -- that we built another facility in -- in</p> <p>21 Weslaco, Texas, which is 15 miles away from McAllen,</p> <p>22 and they were too busy to meet, and so we -- we --</p> <p>23 we found these -- so the intent was to -- to find</p> <p>24 somebody that we knew and had vetted out before. So</p> <p>25 this was kind of a default who we reached out to.</p>	<p style="text-align: right;">Page 153</p> <p>1 it's a -- it's a function of the time.</p> <p>2 Q. And do -- what -- what time do you estimate</p> <p>3 this project to take?</p> <p>4 A. I believe it's two months. Yeah,</p> <p>5 two months.</p> <p>6 Q. And had you believe -- do you believe the</p> <p>7 numbers contained in Division 1 under "General</p> <p>8 conditions" amounting to a total of 88,948 to be a</p> <p>9 fair market price for those services?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Let's move to Division 2, "Site</p> <p>12 work." And, again, we're still on Erickson</p> <p>13 Exhibit 13, and the first item there is asphalt</p> <p>14 paving for \$375 -- \$375,000.</p> <p>15 Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. And is that the number which is derived</p> <p>18 from the Bernal Paving & Maintenance estimate that</p> <p>19 we saw in Erickson Exhibit 14?</p> <p>20 A. Yes. Bernal's proposal is broken up into</p> <p>21 two sections. The first is what they call the front</p> <p>22 area of the building, and then the -- the -- the</p> <p>23 second proposal is the -- what they call the back</p> <p>24 area so behind the fence. And so the combination of</p> <p>25 the two numbers totals the -- the 375-.</p>

<p style="text-align: right;">Page 154</p> <p>1 Q. Okay.</p> <p>2 MR. FALLON: Let's see. Why don't we</p> <p>3 go ahead and mark -- this is going to be a document</p> <p>4 Bates stamped Yellow-Assumption 00019124, and it</p> <p>5 goes through Yellow-Assumption 00019275.</p> <p>6 And if you can mark that as Erickson</p> <p>7 Exhibit 15.</p> <p>8 (Exhibit No. 15 marked.)</p> <p>9 BY MR. FALLON:</p> <p>10 Q. Okay. And Mr. Erickson, you have in front</p> <p>11 of you on the screen something which is entitled,</p> <p>12 "AEI Property Condition Report." I don't expect</p> <p>13 that you have seen this before, but it has some</p> <p>14 things I'd like to show you and -- and get your</p> <p>15 reaction to it. This document has been produced to</p> <p>16 us by the debtors, and so I realize you're, in all</p> <p>17 likelihood, seeing it for first time today, but I'd</p> <p>18 just like to get your reaction, if -- if I could.</p> <p>19 So why don't we turn to Bates numbered --</p> <p>20 this is, again, Yellow-Assumption 1 -- Erickson</p> <p>21 Exhibit 15 at 00019139. Okay. Well, we'll just</p> <p>22 have to do the best we can with it.</p> <p>23 So if we turn to the AEI property</p> <p>24 condition report for McAllen -- and this is page 16</p> <p>25 of the report. And this is -- it has a number</p>	<p style="text-align: right;">Page 156</p> <p>1 Schwob -- Schwob have proposed is a fair price for</p> <p>2 the asphalt repair?</p> <p>3 A. Yeah, I mean, I do. It's -- I -- I don't</p> <p>4 know where they derived their price, if that was</p> <p>5 a -- if that was an estimate or they talked to a</p> <p>6 local vendor there, but I would tell you that if</p> <p>7 it's the same scope, that I would -- I think that we</p> <p>8 should hire AEI to do the asphalt work.</p> <p>9 Q. Okay.</p> <p>10 A. Everybody -- it's a cheaper price, and</p> <p>11 everybody gets what they want -- what they need out</p> <p>12 of the deal -- so -- but it -- again, it's -- it</p> <p>13 doesn't -- I -- I don't know if it's a two-inch</p> <p>14 overlay, if it's a inch and a half, an inch. I --</p> <p>15 I -- there's not enough information here for me</p> <p>16 to -- I think we all agree that when we say</p> <p>17 "overlay," they must have viewed it the same with</p> <p>18 the raveling, that a full-depth replacement -- so</p> <p>19 some -- some sort of a replacement --</p> <p>20 Q. Yes.</p> <p>21 A. -- on the surface.</p> <p>22 Q. Yeah. What sort of -- and you've mentioned</p> <p>23 it, that Bernal would recommend a two-inch overlay.</p> <p>24 Is that what you'd recommend here?</p> <p>25 A. Yes. And just for the record, the two-inch</p>
<p style="text-align: right;">Page 155</p> <p>1 there, asphalt pavement and overlay then stripe, and</p> <p>2 it lists a price of \$253,160.</p> <p>3 Do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. So if I'm reading that correctly, that</p> <p>6 would be the price for the asphalt repair, and that</p> <p>7 compares, at least so as far as I can tell, to a</p> <p>8 price of 375,000, which we've gotten from Bernal.</p> <p>9 Do you think that the \$253,000 number that</p> <p>10 they listed there would adequately repair -- and</p> <p>11 first of all, is that the same, as from what you can</p> <p>12 tell, and maybe you can't -- but is that the same</p> <p>13 repair that you and Bernal have proposed?</p> <p>14 A. I honestly don't know that. The comment</p> <p>15 section says, "Overlay with sectional full-depth</p> <p>16 replacement," so I don't know if that's one inch of</p> <p>17 asphalt, two inches of asphalt. I -- from this, I</p> <p>18 couldn't be able to tell. I -- I wouldn't be able</p> <p>19 to tell you if it's the same scope.</p> <p>20 Q. Okay.</p> <p>21 A. Based on the pricing, I would think that</p> <p>22 it's not the same scope, that it's a lesser scope,</p> <p>23 but. . .</p> <p>24 Q. Okay. Do you -- do you think that the --</p> <p>25 that the \$375,000 price is -- is -- that Bernal and</p>	<p style="text-align: right;">Page 157</p> <p>1 overlay was the recommendations for the other two</p> <p>2 facilities. So it was consistently recommended</p> <p>3 at -- by the different -- three different asphalt</p> <p>4 vendors all recommending a two-inch overlay --</p> <p>5 Q. Okay.</p> <p>6 A. -- or, I'm sorry, mill and overlay. I --</p> <p>7 that's, you know -- again, they're saying "overlay."</p> <p>8 I'm assuming that they're looking at milling. Maybe</p> <p>9 that's the difference, that they were thinking maybe</p> <p>10 it doesn't include the milling. It would have to</p> <p>11 have the milling; otherwise, the elevations are --</p> <p>12 would all be off.</p> <p>13 Q. What -- what's -- what is milling?</p> <p>14 A. Milling's the process of -- they would go</p> <p>15 in and mill out, basically remove, two inches of</p> <p>16 asphalt. I -- I think anybody that's ever gone down</p> <p>17 the road and seen them do highway work, you see a</p> <p>18 machine that's going that is chewing up asphalt</p> <p>19 and -- and displacing it into another truck to haul</p> <p>20 it off. That's -- you have to mill, remove, the top</p> <p>21 two-inch layer or whatever that depth is, but in</p> <p>22 this case, two inches -- remove that, mill it up</p> <p>23 with a machine, and then come back and lay new</p> <p>24 asphalt so that your -- your finish grade elevations</p> <p>25 are all the same.</p>

<p style="text-align: right;">Page 158</p> <p>1 Q. Okay. And would the -- I'm looking at 2 Erickson Exhibit 14 and, in particular, the Bernal 3 bid. It also says, "rework and compact base." 4 Would that be an important step? 5 A. Yeah. 6 Q. Yeah. That's not -- 7 A. I mean, there are, yes, areas that -- yeah. 8 I mean, we saw areas of visible potholing and stuff 9 like that, so there's areas that, in addition to the 10 milling, will have to be cut out, removed, and -- 11 and -- and -- and areas replaced. Again, if you're 12 putting new asphalt down, you've got to put it -- 13 you can't put it on degraded subgrade or damaged 14 subgrade. 15 Q. Okay. 16 A. It's the -- the surface -- 17 Q. Okay. So -- 18 A. -- surface is only as good as the base. 19 Q. Okay. So it's fair to say that in order to 20 have a -- a safe and -- and good operating condition 21 parking lot, you need to mill it, and you need to 22 rework and compact base? 23 A. Yes. Yes. 24 Q. Okay. Let's go back to Erickson 25 Exhibit 13, and that's SEFL 518. This is back to</p>	<p style="text-align: right;">Page 160</p> <p>1 number? 2 A. Yeah. I think that that facility had a lot 3 of doors that were damaged, weren't swinging, 4 closing properly, door hardware -- I think we 5 assumed that most all the door hardware would have 6 to be replaced in it. I don't have the breakout of 7 exactly how many doors that was, doors and frames. 8 Again, I can get that. But a lot -- lot of -- lot 9 of damage throughout the office, damaged doors, 10 frames, hardware, and a lot of things -- I think a 11 lot of them were wood door frames that were probably 12 not great for commercial use. 13 Q. Okay. And then your next item on Erickson 14 Exhibit 13 is overhead doors for \$249,600. Can you 15 explain what that was? 16 A. Yeah. The way we looked at this, we -- we 17 tried to -- a lot of the doors, we assume that we 18 can take the, I think, bits and pieces and 19 combine -- I think there were roughly 40 doors on 20 the facility or 42, 44, and we got that unit cost 21 for the -- the double -- the 23 by 10 and 11 22 overhead doors that was -- the unit cost was 10,500. 23 So we assumed half the quantity would -- 24 we would just put new doors in and then take the 25 other pieces and components of the other doors and</p>
<p style="text-align: right;">Page 159</p> <p>1 your estimate. 2 And you had in your estimate fences and 3 gates for \$22,800; is that fair? 4 A. Yes. 5 Q. And what is the basis for that estimate? 6 A. I can't remember how -- how many fence 7 panels. I don't remember exactly how we derived to 8 that number. I know there are various areas -- I 9 mean, I think we looked at the total linear footage 10 of just going through and straightening, 11 repairing -- repairing fabric. And then there's 12 fence -- there's a lot of sections that -- I mean, I 13 say that -- there's one section that was missing. 14 There are many sections that were pushed over that 15 have to be pulled out, completely replaced. I don't 16 have that exact footage breakout. I could get it. 17 Q. Okay. But it's -- it's based on the number 18 of panels and poles that you had to do -- 19 A. Yes. 20 Q. -- had to redo? 21 A. Yes. 22 Q. All right. Let's turn to Division 8. And 23 you've got two categories under Division 8. The 24 first is, "Door -- doors, frames, and hardware." 25 So can you explain the basis for that</p>	<p style="text-align: right;">Page 161</p> <p>1 door panels and -- and -- what was there, it wasn't 2 like there was insignificant panels, but a lot of 3 them were beat up, damaged, and to take, you know, 4 parts and components from other ones and -- to make 5 a -- you know, make a full door out of existing ones 6 that are there, but by the time you basically 7 cannibalize those doors, you're left with -- now 8 you're missing half the doors, and that was to buy 9 new doors and frames for the -- the remaining half. 10 So I remember that number when I was 11 reviewing the estimate kind of jumped out at me. We 12 had the conversation about it, but it's -- you know, 13 it's basically buying a combination of 20 new doors 14 that -- I think the 10,500 on that unit cost -- or 15 maybe it was 20 -- half the doors, 20, 21, 22. 16 Q. Yeah. And so you're referring to Erickson 17 Exhibit 14 and -- at SEFL 513. Can we turn to that? 18 A. Yeah. 19 Q. There we go. So the -- is -- is that the 20 subcontractor that you're referring to? 21 A. Yes, sir. 22 Q. I think it might be under Tab 2. Yeah, you 23 got it in front of you, or do you see it? 24 A. Yes, yes. No, I'm sorry. Yes. 25 Q. Okay.</p>

<p style="text-align: right;">Page 162</p> <p>1 A. Yes, that -- yeah, that's it. So --</p> <p>2 Q. Okay.</p> <p>3 A. -- there's 40 doors, 44 doors, so taking 22</p> <p>4 of those doors, 22 new doors, and then taking the</p> <p>5 other doors off and piecemealing them and making a</p> <p>6 whole door for the remaining half of the other.</p> <p>7 This facility had some old wood doors, like, wood --</p> <p>8 I mean, it had a combination of a lot of different</p> <p>9 thing going on, but it -- it -- it didn't seem</p> <p>10 responsible to price all new doors into it. We felt</p> <p>11 like we could take the other doors, like I said, and</p> <p>12 piecemeal them together and -- and make half the</p> <p>13 facility work with what we had and then buy new</p> <p>14 doors for the other half.</p> <p>15 Q. And you thought that was necessary to put</p> <p>16 the doors in good and safe operating conditions?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. Let's turn to -- back to Erickson</p> <p>19 Exhibit 13, which is at SEFL 518, and I believe we</p> <p>20 are up to Division 9, "Finishes." And for the</p> <p>21 flooring, I see it lists 19,852.</p> <p>22 Can you give us the basis for that number?</p> <p>23 A. Yeah. I mean, it's a function of the</p> <p>24 square footage of the entire office area and pulling</p> <p>25 out all the existing tile, floor tile, and putting</p>	<p style="text-align: right;">Page 164</p> <p>1 the rest of the building and then the interior; is</p> <p>2 that fair?</p> <p>3 A. Yeah. It is not painting the exterior of</p> <p>4 the office but miscellaneous paint on very southern</p> <p>5 areas of the exterior like handrails, stairs, and</p> <p>6 the inside of the office and then bollards on the</p> <p>7 dock. Various -- very -- very little on the dock,</p> <p>8 but primarily in the office.</p> <p>9 Q. Okay. Let's move to Division 11. You've</p> <p>10 got \$10,935 for loading dock equipment. And is that</p> <p>11 based on a subcontractor bid?</p> <p>12 A. Yes. That's from Total Service Packaging.</p> <p>13 Q. Okay. So let's move -- yeah. Let's move</p> <p>14 back to Erickson Exhibit 14 at SEFL 514.</p> <p>15 Okay. So at Erickson Exhibit 14, at SEFL</p> <p>16 514, we have a bid from Total Service Packaging for</p> <p>17 \$10,934.50, which matches very closely the amount on</p> <p>18 the Schwob estimate; is that correct?</p> <p>19 A. Yes.</p> <p>20 Q. And that is the new equipment and</p> <p>21 installation of the dock equipment necessary to make</p> <p>22 the facility good and safe?</p> <p>23 A. Yes.</p> <p>24 Q. All right. Let's go back to Erickson</p> <p>25 Exhibit 13, and we're down to Division 13,</p>
<p style="text-align: right;">Page 163</p> <p>1 new floor -- floor tile back in place.</p> <p>2 Q. And the \$19,852 is a reasonable market</p> <p>3 estimate for that work?</p> <p>4 A. Yes.</p> <p>5 Q. And then you've got painting at 20,310.</p> <p>6 Can you tell us what the basis for that is?</p> <p>7 A. Yeah. I mean, that's going through and</p> <p>8 painting, again, the interior of the office space.</p> <p>9 There's areas on the exterior that -- handrails and</p> <p>10 things that need to be painted, touched up. Exit</p> <p>11 stairs around the building, handicap ramp. And then</p> <p>12 just vari- -- various things that need to be painted</p> <p>13 inside and outside.</p> <p>14 Q. Okay.</p> <p>15 A. For clarification, we did not include</p> <p>16 repainting the outside of the building or anything</p> <p>17 like that.</p> <p>18 Q. So this is just indoor painting?</p> <p>19 A. Yeah. Well, I -- just to clarify, to -- to</p> <p>20 paint the exterior office. And I'm not sure that --</p> <p>21 Q. Okay.</p> <p>22 A. -- that's necessarily the -- the right</p> <p>23 choice, but it was getting fairly chalky and likely</p> <p>24 will corrode and rust at some point.</p> <p>25 Q. So it's the exterior of the office but not</p>	<p style="text-align: right;">Page 165</p> <p>1 "Preengineered metal buildings." And for that item</p> <p>2 you've got \$369,082.</p> <p>3 Do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. And is that what is reflected in the Schwob</p> <p>6 Steel Services contained in Erickson 14?</p> <p>7 A. Yes. There's a -- there's a delta in that</p> <p>8 number between the -- the roof proposal's 360,000,</p> <p>9 and that proposal references -- for the</p> <p>10 preengineered metal building it references 369-.</p> <p>11 That \$9,000 -- the difference in that amount is for</p> <p>12 those wall panels that we -- at the end of the</p> <p>13 building that were damaged that we talked about --</p> <p>14 Q. Okay.</p> <p>15 A. -- in one of the photos.</p> <p>16 Q. So -- I see.</p> <p>17 So the roof itself is 360,000 and change;</p> <p>18 is that fair?</p> <p>19 A. Yes.</p> <p>20 Q. And then you have the -- essentially, the</p> <p>21 wall panels that need replacement --</p> <p>22 A. Yeah.</p> <p>23 Q. -- or repaneling, and that's about \$9,000?</p> <p>24 A. Right. Little bit of wall area. Not --</p> <p>25 not much, but. . .</p>

<p style="text-align: right;">Page 166</p> <p>1 Q. Okay. And you believe that's a reasonable 2 amount to replace the roof? 3 A. Yeah. I mean, it's -- you know, I mean, 4 it's -- it's my company that priced it, right, so -- 5 but, no, I mean, it -- it is. It's -- what does 6 that come out to, roughly \$15 a square foot? It is. 7 Again, with a local vendor, a little bit more time, 8 and had we determined the scope ahead of time, could 9 that reduce the price a little bit? Yes, I -- I 10 believe so. 11 Q. Yeah. 12 Is it also possible that you could take 13 the roof off and find additional problems that were 14 not apparent that would increase the cost? 15 A. It's possible, but unlike some of the other 16 items we've talked here through this deposition, I 17 mean, on a preengineered building, I mean, it's 18 not -- I -- I would say not anything that would be 19 atypical. I -- I wouldn't expect any corrosion 20 issues. I mean, this, you know, building, by 21 visually observing it above, I mean, you can see the 22 purlins, the -- basically, I'm -- you know, the 23 preengineered metal building consists of 24 preengineered frames and -- and girts and purlins, 25 and, I mean, it -- you know, they -- they looked --</p>	<p style="text-align: right;">Page 168</p> <p>1 A. Yeah. Yeah. I mean, based on what we saw 2 and -- visibly saw during that time, yes. 3 Q. Okay. So -- and that would be a direct 4 cost of approximately 1,181,000 and change? 5 A. Yes. 6 Q. And then the total estimated cost would be 7 1.558 million? 8 A. Yes. 9 Q. Okay. You stated that you had a -- another 10 one of your employees on the walk-through. Is it 11 usually helpful to have a -- a second person there 12 on a walk-through? 13 A. Oh, yeah, absolutely. 14 Q. And why is that? 15 A. It -- I mean, it helps you identify and see 16 things that -- you know, four eyes are better than 17 two, you know, see things that maybe the other 18 person doesn't see. To look at an issue and you 19 think it's really an issue, to have somebody to 20 collaborate with and discuss it, talk about it, I 21 mean, yeah, it's -- it's -- it's definitely helpful. 22 And, you know, having a third person, a fourth 23 person, a fifth person is exponentially helpful 24 to -- I'm sure we would have found many other things 25 with more people, but. . .</p>
<p style="text-align: right;">Page 167</p> <p>1 they looked fine, so I -- but I -- I don't think it 2 would be an issue. 3 Q. Okay. So you're saying probably the 4 underlying structure is fine. Obviously, the roof 5 is very corroded and -- and failing? 6 A. Yeah. Yeah. No, I -- I think the 7 structure's fine. 8 Q. Okay. All right. Moving back, then, to 9 Erickson Exhibit 13, we're now down to indirect 10 costs. You have a contractor contingency. 11 And do -- do you have any concerns about 12 the contingency in this estimate? 13 A. Hang on one second. No. 14 Q. Okay. And your previous comments would 15 apply equally here? 16 A. Yes. Yes. 17 Q. Okay. And then your previous comments with 18 respect to the profit number would apply equally as 19 well? 20 A. Yes. 21 Q. Okay. So is it your belief that the 22 estimate contained in Erickson Exhibit 13 is a fair 23 estimate of the repairs necessary to bring the 24 McAllen property up to safe and good operating 25 condition?</p>	<p style="text-align: right;">Page 169</p> <p>1 Q. Okay. When you were on the property at 2 McAllen, did you notice any significant erosion or 3 chronically standing water? 4 A. On-site? 5 Q. Yeah. 6 A. No, not -- not chronically, no. No. I 7 don't know when their last rain event was, but -- 8 but no. 9 Q. Okay. All right. I'm going to turn to the 10 Odessa property now. Okay. Let me turn your 11 attention to the Odessa property located at 3924 12 South Country Road 1290 in Odessa, Texas. 13 Have you ever visited that property? 14 A. Yes. 15 Q. And when did you visit that property? 16 A. On Wednesday, March 6th. 17 Q. 2024? 18 A. Sorry, 2024. 19 Q. Okay. And do you recall about how long the 20 visit to the -- and I'm going to refer to that as 21 the Odessa property. 22 Do you recall how long your visit to the 23 Odessa property took? 24 A. That was a shorter visit, smaller facility. 25 The office was fairly maintained. It -- it --</p>

<p style="text-align: right;">Page 170</p> <p>1 the -- maybe a -- an hour, hour and a half.</p> <p>2 Q. Okay. And who was present for your visit</p> <p>3 to the Odessa property?</p> <p>4 A. Myself, Chris Broerman with Schwob, and</p> <p>5 then Tom Herndon with Southeast Freight.</p> <p>6 Q. Okay. And, I guess, what -- what type of</p> <p>7 inspection did you do at the Odessa property? Where</p> <p>8 did you walk? What -- where did you walk?</p> <p>9 A. Yeah, yeah.</p> <p>10 Q. What did --</p> <p>11 A. A site walk.</p> <p>12 Q. What type of inspection did you do?</p> <p>13 A. We did a site walk. We walked the -- on</p> <p>14 that one, I believe we walked the inside of the</p> <p>15 facility first, walked through the office, walked</p> <p>16 through the dock, and then after the dock, did a --</p> <p>17 did a site walk, walked around the perimeter of the</p> <p>18 building, walked the paving, walked the perimeter of</p> <p>19 the site.</p> <p>20 MR. FALLON: Okay. I'm going to ask</p> <p>21 the court reporter to mark documents Bates stamped</p> <p>22 SEFL 720 through SEFL 744 as Exhibit -- Erickson</p> <p>23 Exhibit 16.</p> <p>24 (Exhibit No. 16 marked.)</p> <p>25 BY MR. FALLON:</p>	<p style="text-align: right;">Page 172</p> <p>1 condition of the Odessa property?</p> <p>2 A. They do.</p> <p>3 Q. Did you have a -- a general observation of</p> <p>4 the condition of the warehouse?</p> <p>5 A. Yeah, it's in very good shape.</p> <p>6 Q. Okay. Let's see. Let's move over to SEFL</p> <p>7 725, 726, 727. Why don't we just start with them.</p> <p>8 MR. FALLON: And I ask the technician</p> <p>9 to page through 725 through 727.</p> <p>10 BY MR. FALLON:</p> <p>11 Q. Are those pictures that you took?</p> <p>12 A. Yes.</p> <p>13 Q. And do they accurately portray the</p> <p>14 conditions at the Odessa property?</p> <p>15 A. Yes.</p> <p>16 Q. And what do they show?</p> <p>17 A. They show a combination of cracking. I</p> <p>18 think previous couple photos showed some of the --</p> <p>19 some of the alligator cracking going on at various</p> <p>20 places. This specific photo right here is</p> <p>21 representative of -- of, you know, the -- the top</p> <p>22 layer coming apart. The trucks have been going</p> <p>23 around the corner and, you know, pushing the --</p> <p>24 the -- the aggregate over to the side. And -- and</p> <p>25 I'm not fully convinced that maybe it hadn't been</p>
<p style="text-align: right;">Page 171</p> <p>1 Q. So let me first ask you, did you take</p> <p>2 pictures while you were at the Odessa property?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And we see the first page, and we'll</p> <p>5 go through -- through the rest of them, but is this</p> <p>6 a picture that you took?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And what -- what is the condition of</p> <p>9 the -- well -- well, first of all, what's shown in</p> <p>10 SEFL 720 on Erickson 16?</p> <p>11 A. That's just taking a -- a -- a photo</p> <p>12 from -- towards the end of the building, maybe even</p> <p>13 closer to the middle. It's a -- it's a smaller</p> <p>14 facility. But just taking it towards the corner</p> <p>15 where you can see kind of representative of -- of</p> <p>16 the structure and the -- the overhead doors, the</p> <p>17 coiling doors.</p> <p>18 MR. FALLON: Okay. I'll ask the</p> <p>19 technician to page through SEFL 720 through 723.</p> <p>20 BY MR. FALLON:</p> <p>21 Q. And if you can just look them at as he</p> <p>22 pages through them. Are those pictures that you</p> <p>23 took while you were at the Odessa property?</p> <p>24 A. Yes.</p> <p>25 Q. And do they accurately reflect the</p>	<p style="text-align: right;">Page 173</p> <p>1 swept over that direction. I don't know if the --</p> <p>2 the -- the current tenant that's in the building had</p> <p>3 swept it and did it, but, I mean, it's -- you know,</p> <p>4 that -- and, again, that's kind of indicative of</p> <p>5 the -- the raveling that we talked about on -- on</p> <p>6 McAllen.</p> <p>7 Q. Okay. So what -- what was your view of the</p> <p>8 condition -- and -- and 725 through 727, this is an</p> <p>9 asphalt surface?</p> <p>10 A. Yes.</p> <p>11 Q. And I guess there's also some concrete in</p> <p>12 there?</p> <p>13 A. Yeah, there was some concrete -- obviously,</p> <p>14 concrete aprons around the building, and then I</p> <p>15 believe at the end, it looked like fairly new</p> <p>16 concrete that had been poured on the end of the site</p> <p>17 that was --</p> <p>18 Q. Okay.</p> <p>19 A. -- looked very, very new and in very good</p> <p>20 condition.</p> <p>21 Q. The -- the concrete was new and in good</p> <p>22 condition?</p> <p>23 A. Yes. The --</p> <p>24 Q. Okay.</p> <p>25 A. The stuff at --</p>

<p style="text-align: right;">Page 174</p> <p>1 Q. What would you --</p> <p>2 A. -- the end. The aprons looked good, too.</p> <p>3 Q. I'm sorry, I didn't hear that.</p> <p>4 A. The concrete I was referring to at the end</p> <p>5 of the site looked like it was fairly new. The</p> <p>6 concrete aprons --</p> <p>7 Q. Okay.</p> <p>8 A. -- around the building has -- is older but</p> <p>9 it looked like in fairly good condition.</p> <p>10 Q. Okay. What was your view of the condition</p> <p>11 of the asphalt?</p> <p>12 A. My view of it is that it needs a -- a -- an</p> <p>13 overlayment. It needs the milling and a two-inch --</p> <p>14 a new two-inch overlayment so milling and</p> <p>15 overlayment. And that's the combination of all the</p> <p>16 cracking, the alligator cracking, and then the --</p> <p>17 the raveling that's occurring on the surface.</p> <p>18 Q. Okay. So these pictures at 725, 726, and</p> <p>19 727 of Erickson Exhibit 16, do they accurately</p> <p>20 depict the conditions at the Odessa facility?</p> <p>21 A. Yes.</p> <p>22 Q. Okay.</p> <p>23 MR. FALLON: I'll ask the -- the</p> <p>24 technician to page through 728 and 729 and 730. And</p> <p>25 I'll ask Mr. Erickson to review that and ask if you</p>	<p style="text-align: right;">Page 176</p> <p>1 typical, and, you know, it's obviously an example of</p> <p>2 cracks that are large enough that it gets debris,</p> <p>3 gets sediment in it, and, you know, some type of</p> <p>4 seeds or something in it and grow weeds.</p> <p>5 Q. Okay.</p> <p>6 MR. FALLON: So I'll just ask the</p> <p>7 technician to page slowly through 731 through 735 --</p> <p>8 BY MR. FALLON:</p> <p>9 Q. -- and then ask if that's an accurate</p> <p>10 picture of the conditions you witnessed at the</p> <p>11 Odessa property.</p> <p>12 A. Yes. Yeah.</p> <p>13 Q. Okay. Let's turn to SEFL 737. Yeah,</p> <p>14 that's 737. Okay. And what does SEFL 737 show?</p> <p>15 A. It's just a -- showing a picture of the</p> <p>16 exterior -- the condition of the exterior of the</p> <p>17 building.</p> <p>18 Q. Okay. And what was your -- did -- did you</p> <p>19 have any observations of the condition of the</p> <p>20 exterior?</p> <p>21 A. Yeah. I mean, it's -- again, it's --</p> <p>22 for -- for the age of the building, I mean, it</p> <p>23 appears to be in pretty good shape. The doors, you</p> <p>24 can see the paint's flaking off, and that'll need to</p> <p>25 be prepped clean and repainted, but, you know, it --</p>
<p style="text-align: right;">Page 175</p> <p>1 can -- if -- if you have any particular comments</p> <p>2 about any of those pictures.</p> <p>3 BY MR. FALLON:</p> <p>4 Q. We're at 731. What's 731?</p> <p>5 A. Yeah, I mean, that's an area there that's</p> <p>6 obviously got a lot of cracking going on, some</p> <p>7 longitudinal cracking. I don't know that these</p> <p>8 photos are completely indicative of -- do a great</p> <p>9 job of showing -- I don't -- I don't know if the --</p> <p>10 the file I sent you wasn't big enough or -- to get</p> <p>11 enough detail and stuff, but it's just the site's --</p> <p>12 it's -- it's got a lot of cracked-up paving, and,</p> <p>13 again, there's areas -- you can see in the center</p> <p>14 where it -- it's failing a little bit, but it's --</p> <p>15 it's just -- and, again, you have the -- we have</p> <p>16 the -- the whole top surface that's raveling and</p> <p>17 coming off.</p> <p>18 Q. Is -- is that grass that's growing up</p> <p>19 through the asphalt?</p> <p>20 A. Yes.</p> <p>21 Q. Is that a bad sign?</p> <p>22 A. Yeah. I -- in fact, I don't know if it's</p> <p>23 grass. It may be weeds. But I don't know if</p> <p>24 anything really successfully grows in Odessa, Texas.</p> <p>25 So it's probably not grass, but, no, that's not</p>	<p style="text-align: right;">Page 177</p> <p>1 there wasn't significant issues on the exterior of</p> <p>2 the building. They were -- it was in fairly decent</p> <p>3 shape.</p> <p>4 Q. Okay. Let me turn your attention to SEFL</p> <p>5 738, which is the next picture. And what does 738</p> <p>6 show?</p> <p>7 A. Yeah, that shows, I think it was, one or</p> <p>8 two locations on one side of the building. That's</p> <p>9 the dock channel that has been hit by forks on the</p> <p>10 forklift and started to knock the channel loose from</p> <p>11 the building. And, again, the -- the dock</p> <p>12 channels --</p> <p>13 Q. And --</p> <p>14 A. The dock channels are embedded into the</p> <p>15 concrete. In this case, they've been knocked</p> <p>16 free -- started to get knocked free of the concrete,</p> <p>17 but they -- they hold the -- the dock boards, the</p> <p>18 dock levelers.</p> <p>19 Q. Okay. Is that something that needs to be</p> <p>20 repaired or fixed to put in safe and good operating</p> <p>21 condition?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And do SEFL 737 and 738 accurately</p> <p>24 depict the conditions at the Odessa property?</p> <p>25 A. Yes, for -- for those locations. Again,</p>

<p style="text-align: right;">Page 178</p> <p>1 this --</p> <p>2 Q. Okay.</p> <p>3 A. -- situation wasn't indicative -- there was</p> <p>4 just, I -- I believe, two dock doors.</p> <p>5 MR. FALLON: Okay. I'll ask the</p> <p>6 technician to page through 739 to 743.</p> <p>7 BY MR. FALLON:</p> <p>8 Q. And just stop us if you see anything that</p> <p>9 is worthwhile to comment on.</p> <p>10 Let me -- keep -- okay. Well, let me stop</p> <p>11 there. We're at SEFL 742, and what does that</p> <p>12 picture show?</p> <p>13 A. It's -- it's a -- it's a round piece of</p> <p>14 concrete that was sitting in a pothole.</p> <p>15 Q. Okay.</p> <p>16 A. Not really sure why -- why it was placed</p> <p>17 there. It looked like it was a cover on something,</p> <p>18 and we actually moved it, but it was -- it's just</p> <p>19 sitting in a hole.</p> <p>20 Q. Okay. And is that an accurate picture from</p> <p>21 the Odessa property?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Let me draw your attention to SEFL</p> <p>24 744, and I ask if you can identify what that is.</p> <p>25 A. Yeah. I mean, that's -- that's a piece of</p>	<p style="text-align: right;">Page 180</p> <p>1 management number is consistent with a one-month</p> <p>2 project?</p> <p>3 A. Yes.</p> <p>4 Q. And then you had -- well, the other numbers</p> <p>5 under Division 1, are those fair and market prices</p> <p>6 for the services listed?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. So it looks like the bulk of the</p> <p>9 work at Odessa is under Division 2, "Site work"?</p> <p>10 A. Correct.</p> <p>11 Q. And what -- what's your recommendation as</p> <p>12 to the asphalt paving areas of Odessa?</p> <p>13 A. A two-inch mill and overlay on the asphalt.</p> <p>14 Q. Okay.</p> <p>15 A. And then on the concrete, for that mill and</p> <p>16 asphalt is 251,000. The concrete to route and</p> <p>17 crack -- I think we had routed and cracked -- there</p> <p>18 are some cracks to route and seal them. I estimate</p> <p>19 another 500 linear feet and then doing the parking</p> <p>20 lot striping and then the joint seal for the -- for</p> <p>21 the concrete, for the -- the caulking for -- that</p> <p>22 would be for the apron.</p> <p>23 MR. FALLON: Okay. So let's go ahead</p> <p>24 and mark SEFL 710 through 716 as Erickson</p> <p>25 Exhibit 18.</p>
<p style="text-align: right;">Page 179</p> <p>1 trim that's been damaged at the top of the door.</p> <p>2 We -- we took a photo of it. I'm not even sure if</p> <p>3 we made an assessment for the cost on it, but</p> <p>4 it's -- it's -- it's a relativity simple fix. It's</p> <p>5 a piece of L-flashing that goes underneath the --</p> <p>6 the metal ribs, those -- those vertical metal panels</p> <p>7 that you see, and fastens underneath and basically</p> <p>8 trims out the top of the door.</p> <p>9 Q. Okay.</p> <p>10 MR. FALLON: Okay. Let me ask the</p> <p>11 court reporter to turn to SEFL 719, and we will mark</p> <p>12 that as Erickson Exhibit 17.</p> <p>13 (Exhibit No. 17 marked.)</p> <p>14 BY MR. FALLON:</p> <p>15 Q. Okay. What is Erickson Exhibit 17?</p> <p>16 A. That's the estimate summary for this</p> <p>17 project, which is basically the -- the work that we</p> <p>18 looked at that needed to, in our opinion, be</p> <p>19 improved to -- to bring the facility back to good</p> <p>20 condition.</p> <p>21 Q. Okay. So Division 1, we have the general</p> <p>22 conditions. And did you have an estimate for how</p> <p>23 long this project would -- would take?</p> <p>24 A. Yeah. This one was one month.</p> <p>25 Q. Okay. And so the project and field</p>	<p style="text-align: right;">Page 181</p> <p>1 (Exhibit No. 18 marked.)</p> <p>2 BY MR. FALLON:</p> <p>3 Q. Okay. And what is Erickson Exhibit 18?</p> <p>4 A. That's the proposal from Pavecon for the</p> <p>5 Odessa project -- I mean, for the asphalt.</p> <p>6 Q. Is that the detail for the asphalt paving</p> <p>7 number in Erickson 17?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. And Pavecon is a subcontractor that</p> <p>10 you've worked with?</p> <p>11 A. Yes.</p> <p>12 Q. And have you found them reliable and to</p> <p>13 generally provide competitive bids?</p> <p>14 A. Yes.</p> <p>15 Q. And the documents contained in Exhibit 18</p> <p>16 are -- are also -- also contains an estimate from</p> <p>17 Total Service Packaging?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And that's SEFL 716?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And was it your view that it was</p> <p>22 reasonable to rely on these two subcontractor</p> <p>23 estimates --</p> <p>24 A. Yes.</p> <p>25 Q. -- in preparing your estimate?</p>

<p style="text-align: right;">Page 182</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And why is that?</p> <p>3 A. That -- why would I rely upon it?</p> <p>4 Q. Yeah.</p> <p>5 A. Because this is something that they do for</p> <p>6 various freight companies. They do it on a</p> <p>7 day-to-day basis, and, again, we find that they're</p> <p>8 cost effective and reliable.</p> <p>9 Q. Yeah.</p> <p>10 Okay. And estimates from subcontractors</p> <p>11 are something that you procure and rely upon in the</p> <p>12 ordinary course of business?</p> <p>13 A. Yes.</p> <p>14 Q. And -- and you keep -- keep them as your</p> <p>15 business records?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So this -- this -- this proposal</p> <p>18 from Pavecon, then, is the basis for the asphalt</p> <p>19 paving number on Erickson Exhibit 17?</p> <p>20 A. Yes.</p> <p>21 Q. All right. And then the proposal from</p> <p>22 Total Service Packaging is the basis for your \$5,428</p> <p>23 number on Erickson 17?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And under Division 11, "Loading Dock</p>	<p style="text-align: right;">Page 184</p> <p>1 document.</p> <p>2 EXHIBIT TECHNICIAN: Counsel, you want</p> <p>3 509 marked as the next exhibit in line?</p> <p>4 MR. FALLON: Yeah, why don't we mark</p> <p>5 SEFL 509 to 510 as Erickson 20.</p> <p>6 (Exhibit No. 20 marked.)</p> <p>7 BY MR. FALLON:</p> <p>8 Q. And what's -- what is Erickson 20? Do you</p> <p>9 see Erickson 20 up there? It says SEFL 509 to 510?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And what is Erickson 20?</p> <p>12 A. The proposal clarifications -- let me move</p> <p>13 my -- for McAllen.</p> <p>14 Q. Okay. And that goes hand-in-hand with the</p> <p>15 estimate you provided for McAllen?</p> <p>16 A. That's correct.</p> <p>17 Q. Okay. So we're going to -- sorry to jump</p> <p>18 around here, but we're going to go back to the</p> <p>19 estimate of Erickson 17. This is back on the Odessa</p> <p>20 property.</p> <p>21 Do you believe this is a reasonable</p> <p>22 estimate to bring the Odessa property up to safe and</p> <p>23 good operating condition?</p> <p>24 A. Yes.</p> <p>25 MR. FALLON: Okay. I'm pretty close</p>
<p style="text-align: right;">Page 183</p> <p>1 Equipment," it's your view that those are the costs</p> <p>2 of repairs to bring the property up to good and safe</p> <p>3 operating condition?</p> <p>4 A. Yes.</p> <p>5 Q. Let me ask you --</p> <p>6 MR. FALLON: Well, we'll go ahead and</p> <p>7 mark SEFL 717 through 718 -- we'll mark that as</p> <p>8 Erickson 19.</p> <p>9 (Exhibit No. 19 marked.)</p> <p>10 BY MR. FALLON:</p> <p>11 Q. I would just ask you to identify what</p> <p>12 Erickson 19 is.</p> <p>13 A. That's the proposal clarifications. So,</p> <p>14 again, if you go down and you look at the columns on</p> <p>15 the left-hand side, it describes what's inclusions,</p> <p>16 what's excluded. I don't believe there's any</p> <p>17 allowances that have been accounted for, but. . .</p> <p>18 Q. Okay. And is that -- is that standard as</p> <p>19 part of Schwob's proposals?</p> <p>20 A. Yes.</p> <p>21 Q. Okay.</p> <p>22 MR. FALLON: I realize I didn't admit</p> <p>23 that for the McAllen property, so let me just go</p> <p>24 back very quickly and ask the technician to pull up</p> <p>25 SEFL 509 and 510 and ask if you can identify that</p>	<p style="text-align: right;">Page 185</p> <p>1 to being finished. Why don't we take a break.</p> <p>2 Yeah, why don't we just take a -- go off the record,</p> <p>3 take a five- to ten-minute break, and I might have a</p> <p>4 couple clarifying questions, and then I'll be ready</p> <p>5 to turn it over.</p> <p>6 (Break taken, 1:56 p.m. to 2:08 p.m.)</p> <p>7 BY MR. FALLON:</p> <p>8 Q. All right. Mr. Erickson, I just want to go</p> <p>9 back over and -- and just let me turn your attention</p> <p>10 back to Erickson Exhibit 2. And this is back at the</p> <p>11 Tulsa property. So I guess I just want to get your</p> <p>12 impression of the property as a whole, whether the</p> <p>13 property appeared maintained and whether what you</p> <p>14 were seeing was normal wear and tear or something</p> <p>15 more than that.</p> <p>16 A. No, it -- it -- I mean, it -- it didn't</p> <p>17 appear to be the -- that the facility was maintained</p> <p>18 inside or out. No, I would not describe it as</p> <p>19 normal wear and tear.</p> <p>20 Q. And -- and -- and if the facility had been</p> <p>21 maintained, would you expect to see something</p> <p>22 different?</p> <p>23 A. Yeah. I -- I don't think we would be</p> <p>24 talking about a lot of these -- at least to the</p> <p>25 magnitude of the problems that we're having on the</p>

<p style="text-align: right;">Page 186</p> <p>1 site with the paving that we appear to be having, 2 the improvements that would have to be made in -- 3 in -- in the office area. The -- obviously, the 4 electrical theft is an unfortunate circumstance, 5 but -- you know, but -- the closest to normal wear 6 and tear would probably be in the dock, but it was a 7 bit excessive with some of the coiling doors and 8 stuff being beat up. But -- but, no, I -- I 9 wouldn't call it normal wear and tear. 10 Q. Okay. And your total amount to bring Tulsa 11 up to good and safe operating conditions was 12 \$1,000,753.65? 13 A. Is that the old -- yes. 14 Q. Yeah. I'm looking at Exhibit 2. That's 15 March 27. 16 A. Yeah. 17 Q. Okay. All right. And then turning to 18 McAllen, just your overall impressions of McAllen, 19 was -- was McAllen property well-maintained? 20 A. No. 21 Q. And -- and -- and what -- what led you to 22 believe that it wasn't well-maintained? 23 A. Just the lack of maintenance on the -- over 24 the years, years of neglect on the paving, you know, 25 fencing, general cleanup and stuff along the fence</p>	<p style="text-align: right;">Page 188</p> <p>1 property at -- at Odessa. 2 Do you have a view on whether the Odessa 3 property had been maintained to some extent and 4 whether that was normal wear and tear? 5 A. Yeah. I mean, as far as the building 6 itself, the building inside and out, I mean, to me, 7 it's -- it's normal wear and tear. It was -- 8 actually, in my opinion, it was taken very -- very 9 good care of. The -- unfortunately, the site, 10 that -- that's not the -- that's not the situation 11 at the site, but -- so the site was -- the paving, 12 you know, specifically, the paving was -- asphalt 13 paving was neglected. But, no, the building is in 14 very good condition. They've taken very good care 15 of it. 16 Q. Was the Odessa property occupied? 17 A. Yes. 18 Q. And who was occupying it? 19 A. FedEx. 20 Q. Okay. 21 A. I -- I -- 22 Q. And so -- 23 A. I -- I believe -- I believe FedEx. There 24 were FedEx -- a gentleman that let us into the 25 facility was, I believe, a FedEx person, and there</p>
<p style="text-align: right;">Page 187</p> <p>1 lines, within the office space, on the dock. 2 Obviously, that dock was in rougher shape than 3 Tulsa. But, no, I -- it -- that would not be 4 described as normal wear and tear. 5 Q. And was the roof -- was maintenance done on 6 the roof? 7 A. Yeah. No, no. Yes. I mean, in the -- in 8 the roof. I mean, had -- had the roof had -- had 9 some care over the years, I mean, it certainly 10 wouldn't be rusting at this point, which is 11 unfortunate. 12 Q. Okay. And would you consider the 13 conditions at McAllen to be generally the result of 14 normal wear and tear? 15 A. No. 16 Q. Okay. All right. And then Odessa -- oh, 17 let's see. And I'll just say -- so I'm looking at 18 the final estimate for McAllen, and the final 19 estimate for McAllen was Erickson 13. And the total 20 estimate there was \$1,058,560; is that correct? 21 A. Yeah, for -- for McAllen, yeah. 22 Q. Is that a yes? 23 A. Yes. Yes. I'm -- yes. 24 Q. Okay. Okay. And then let me ask you about 25 your overall impression of the condition of the</p>	<p style="text-align: right;">Page 189</p> <p>1 were some FedEx trailers there. 2 Q. Okay. And so your total amount to bring 3 the Odessa property up was really focused on the 4 asphalt paving? 5 A. Yes, sir. And then we had the -- 6 Q. And so your -- 7 A. -- the -- the dock levelers and the -- and 8 the repair of the -- the dock channel that we 9 discussed, but -- and that -- that was it. I mean, 10 I know we talked -- discussed some painting and 11 stuff. I think we left that off, felt like it was 12 de minimus. But, no, it's -- to me, that's a -- a 13 really good example of somebody who's taken really 14 good care of a -- a -- of a building, you know, 15 specifically the building. 16 Q. Okay. And so there the total was only 17 \$406,595? 18 A. Yes. 19 MR. FALLON: Okay. I have no further 20 questions. 21 MS. LAMPLEY: Would you like for 22 Kirkland Ellis to move forward with its questions, 23 or -- 24 MR. FALLON: Off the record. 25 (Break taken, 2:16 p.m. to 2:17 p.m.)</p>

<p style="text-align: right;">Page 190</p> <p>1 EXAMINATION</p> <p>2 BY MS. LAMPLEY:</p> <p>3 Q. Hi, Mr. Erickson. I am Amiri Lampley, as I</p> <p>4 mentioned earlier, with Kirkland & Ellis here on</p> <p>5 behalf of the debtors, Yellow Corporation.</p> <p>6 I'm going to ask you some additional</p> <p>7 questions related to your testimony today. If you</p> <p>8 don't understand one of my questions, please let me</p> <p>9 know. I'm happy to rephrase. Otherwise, we'll</p> <p>10 proceed.</p> <p>11 A. You bet.</p> <p>12 Q. First --</p> <p>13 EXHIBIT TECHNICIAN: Hold on real</p> <p>14 quick. Counsel, someone's phone's vibrating,</p> <p>15 ringing. If you could mute that, please.</p> <p>16 BY MS. LAMPLEY:</p> <p>17 Q. First, I would like to discuss Schwob</p> <p>18 Building's relationship with Southeastern.</p> <p>19 Southeastern is a -- a client of Schwob Building,</p> <p>20 correct?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. How long has Schwob served Southeastern?</p> <p>23 A. For 20 years.</p> <p>24 Q. Could you describe the type of services</p> <p>25 that Schwob has provided Southeastern over the past</p>	<p style="text-align: right;">Page 192</p> <p>1 A. No, it's -- yeah, it's -- it varies. I</p> <p>2 would say over the past few years, it's been a</p> <p>3 combination of a few more projects than</p> <p>4 historically, and maybe a couple of those projects</p> <p>5 have been larger than historically.</p> <p>6 Q. Does Schwob offer Southeastern any</p> <p>7 discounts for -- for these projects?</p> <p>8 A. No.</p> <p>9 Q. Does Schwob offer more competitive pricing</p> <p>10 to clients with larger projects?</p> <p>11 A. Are you referring to, for example, if it's</p> <p>12 a larger project, the -- the -- the markups for,</p> <p>13 like, profit?</p> <p>14 Q. Yes.</p> <p>15 A. Yeah, I mean, as the project gets larger,</p> <p>16 the -- the -- the markups certainly can get lower or</p> <p>17 can. It's -- it can be a -- a function of --</p> <p>18 it's -- it's really -- can be a function of the</p> <p>19 time. So, you know, for example, if it's a -- a</p> <p>20 project that's a multiphase project that could take</p> <p>21 two years, you know, those markups will generally be</p> <p>22 a little bit higher because it's not -- again,</p> <p>23 it's -- it's -- it's a function of time. It's not</p> <p>24 just the overall -- it's not just a markup on the</p> <p>25 total dollar amount, but if you're going to have</p>
<p style="text-align: right;">Page 191</p> <p>1 20 years?</p> <p>2 A. Yeah, sure. It varies between new</p> <p>3 construction projects; renovation projects;</p> <p>4 additions -- dock additions to their projects; site</p> <p>5 assessments from the real estate perspective, you</p> <p>6 know, looking for -- helping on land searches;</p> <p>7 looking at existing buildings, maybe buildings that</p> <p>8 they're considering purchasing; helping develop</p> <p>9 scopes for them. Been a lot -- a lot of various</p> <p>10 things over the years.</p> <p>11 Q. Would you consider Southeastern to be one</p> <p>12 of your larger clients?</p> <p>13 A. I would say right now, over the past few</p> <p>14 years, yes; historically, no.</p> <p>15 Q. Over the past few years, has Southeastern</p> <p>16 made up a larger percentage of the projects Schwob</p> <p>17 has worked on, or has its projects just been</p> <p>18 relatively larger than others?</p> <p>19 A. I -- I -- I guess I don't understand the</p> <p>20 question when you say "larger than others."</p> <p>21 Q. You stated that Southeastern is one of your</p> <p>22 larger clients, right? So I just wanted to get a</p> <p>23 sense of -- in -- in what respect? Is it because</p> <p>24 they are a -- because you have a larger quantity of</p> <p>25 projects, or are the projects large themselves?</p>	<p style="text-align: right;">Page 193</p> <p>1 your resources -- you know, a specific team deployed</p> <p>2 to that job for an extended period of time, then,</p> <p>3 you know, those markups can be a little bit higher</p> <p>4 compared to something that, you know, is -- is built</p> <p>5 in half the time.</p> <p>6 Q. Could you -- could you clarify what you</p> <p>7 mean when you say "markup"?</p> <p>8 A. Profit.</p> <p>9 Q. On average, how many projects does Schwob</p> <p>10 work on each year?</p> <p>11 A. I would say between -- 20.</p> <p>12 Q. And do you have a general sense of how many</p> <p>13 project increases you-all receive that do not make</p> <p>14 it to completion?</p> <p>15 A. I -- I don't -- I guess I don't understand</p> <p>16 the question, a project increase if we don't make it</p> <p>17 to. . .</p> <p>18 Q. Do you receive requests for estimates by</p> <p>19 clients or potential new clients that do not make it</p> <p>20 to final construction?</p> <p>21 A. Oh, I -- I understand your question. For</p> <p>22 example, like, turning in proposals in something</p> <p>23 that doesn't turn into a real project?</p> <p>24 Q. Yes.</p> <p>25 A. Yeah. Yeah, absolutely. That's -- that</p>

<p style="text-align: right;">Page 194</p> <p>1 happens -- unfortunately, it happens a lot.</p> <p>2 Q. Understood.</p> <p>3 Do you have a sense of how many you</p> <p>4 receive, you know, per year on average that -- that</p> <p>5 you don't end up having -- making a proposal or</p> <p>6 overseeing?</p> <p>7 A. Yeah, that don't go into construction per</p> <p>8 year, it could be -- over the past few years, maybe</p> <p>9 six or eight. It's -- you know, in slower times,</p> <p>10 those numbers generally get a little bit higher.</p> <p>11 There seems to be a lot of exercising on -- running</p> <p>12 numbers on projects that -- that don't necessarily</p> <p>13 go, but over the past few years that's been a little</p> <p>14 less indicative to us and -- and, I think, probably</p> <p>15 the industry as a whole, but. . .</p> <p>16 Q. Could you explain that further. What would</p> <p>17 be the reason for that?</p> <p>18 A. I don't know. I -- I -- I -- I think</p> <p>19 because the economy's been stronger, it just -- the</p> <p>20 interest rates were lower. They've obviously ticked</p> <p>21 up here a little bit, so I think we're heading back</p> <p>22 into an environment that maybe there will be more</p> <p>23 proposals and -- and less projects that move into</p> <p>24 construction.</p> <p>25 Q. Do you ever lose potential proposals to</p>	<p style="text-align: right;">Page 196</p> <p>1 A. Yes, ma'am.</p> <p>2 Q. And for these -- for the three sites I</p> <p>3 named before, Tulsa -- Tulsa, McAllen, and Odessa,</p> <p>4 what were you asked to do?</p> <p>5 A. I was asked to go out and do -- assess the</p> <p>6 site -- assess each -- each -- each building and the</p> <p>7 site and assess for damage.</p> <p>8 Q. Other than your testimony today, is there</p> <p>9 any remaining work specific to these named projects</p> <p>10 or sites?</p> <p>11 A. Any -- any -- is there any remaining work?</p> <p>12 Q. Any -- yes, any remaining work or asks from</p> <p>13 Southeastern related to the inspection of these</p> <p>14 sites?</p> <p>15 A. No, not -- not that I'm aware of.</p> <p>16 Q. I want to turn to your involvement with the</p> <p>17 inspections. You stated on direct that you</p> <p>18 inspected the Tulsa site.</p> <p>19 Could you describe your typical process</p> <p>20 for conducting inspections from beginning to end?</p> <p>21 A. Yeah. On that specific project, you know,</p> <p>22 the typical process would be either walk the site --</p> <p>23 the entire site and when you're walking the site,</p> <p>24 walk the perimeter of the building so inspect the</p> <p>25 outside. In this case, it was actually raining when</p>
<p style="text-align: right;">Page 195</p> <p>1 lower or more competitive bids or estimates?</p> <p>2 A. Yes.</p> <p>3 Q. Now I want to turn to the property sites</p> <p>4 that you are testifying about today. Who first</p> <p>5 approached you for the inspections of the McAllen,</p> <p>6 Odessa, and --</p> <p>7 A. So --</p> <p>8 Q. -- Tulsa site?</p> <p>9 A. Yeah.</p> <p>10 Q. Excuse me.</p> <p>11 A. That -- that's okay. Southeastern Freight</p> <p>12 Lines.</p> <p>13 Q. Was there a specific individual --</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. -- that you spoke with regarding these</p> <p>16 sites?</p> <p>17 A. Yes, ma'am, Tom Herndon.</p> <p>18 Q. And who is Tom Herndon?</p> <p>19 A. Tom Herndon is in the real estate</p> <p>20 department. He's one of the real estate managers.</p> <p>21 Q. And what's your relationship with Tom?</p> <p>22 A. I believe Tom's been with Southeast Freight</p> <p>23 for 17 years, 18 years. I've known Tom through the</p> <p>24 course of business over those years.</p> <p>25 Q. So you've worked with Tom before?</p>	<p style="text-align: right;">Page 197</p> <p>1 we got there so we started in the building.</p> <p>2 But typically, you would, you know, walk</p> <p>3 the site, walk the perimeter, walk the fence line,</p> <p>4 walk the -- again, inspect different things on the</p> <p>5 exterior. And when you complete that inspection,</p> <p>6 walk in the building and just start inspecting room</p> <p>7 by room and observing, you know, anything that looks</p> <p>8 excessively damaged, you know, things that haven't</p> <p>9 been maintained. The Tulsa site was a little bit</p> <p>10 more challenging because it was -- it didn't have</p> <p>11 any lights on inside, and it was -- it was rainy</p> <p>12 outside so it was a little bit darker. I -- I think</p> <p>13 the photos turned out okay.</p> <p>14 But -- but, you know, walk through and --</p> <p>15 and check everything room by room. In this case, I</p> <p>16 had my estimator, Chris Broerman, with me so having</p> <p>17 a second set of eyes, you know, looking and</p> <p>18 reviewing and -- and commenting on, you know, issues</p> <p>19 and -- and -- and things that we saw as problematic.</p> <p>20 Q. And when you do these inspections, are you</p> <p>21 generally given any direction as to what to look</p> <p>22 for, or is it just a -- a general assessment?</p> <p>23 A. Yeah, general assessment.</p> <p>24 Q. Do you rely on any standards for safety or</p> <p>25 what is considered good when conducting these</p>

<p style="text-align: right;">Page 198</p> <p>1 inspections?</p> <p>2 A. No, I -- I wouldn't say any specific</p> <p>3 standards. We look for things that -- from -- from</p> <p>4 our experience in my case, my experience, that --</p> <p>5 using an example of safety, things that appear to be</p> <p>6 unsafe, historically have been unsafe. But I -- I</p> <p>7 don't rely on any specific standard, no, ma'am.</p> <p>8 Q. And you stated -- you testified earlier</p> <p>9 that Tom was present for, I believe, all three</p> <p>10 inspections, right?</p> <p>11 A. Yes, ma'am.</p> <p>12 Q. Is it typical to have someone from the</p> <p>13 client present when you're conducting the</p> <p>14 inspections?</p> <p>15 A. Yeah. Yes, it is.</p> <p>16 Q. And why is that? What purpose would the</p> <p>17 client serve?</p> <p>18 A. I would think for somebody that -- in this</p> <p>19 case, Tom would be more familiar with the</p> <p>20 facilities. He's obviously visited and been to</p> <p>21 those facilities before. My understanding was that</p> <p>22 Tom -- it required permission to get in the</p> <p>23 facilities, and so Tom was the person that had to</p> <p>24 get us in.</p> <p>25 We went in each facility. We met with --</p>	<p style="text-align: right;">Page 200</p> <p>1 included in those e-mails?</p> <p>2 A. Yes.</p> <p>3 Q. Are there -- so there -- were there any</p> <p>4 photos that you took that you did not send in those</p> <p>5 e-mails to Tom?</p> <p>6 A. Not -- no, not -- I submitted all the</p> <p>7 photos that I took.</p> <p>8 Q. Did you take -- did you take any photos of</p> <p>9 items or areas that did not need repair?</p> <p>10 A. Yes, I did not -- in the Odessa facility,</p> <p>11 we didn't take any of the office. It was in great</p> <p>12 condition.</p> <p>13 Q. So did you only take photos of areas that</p> <p>14 did need repair?</p> <p>15 A. I think we took photos of every space that</p> <p>16 we -- we could get in. I want to be careful when I</p> <p>17 say "every -- every." But I believe the photos, I</p> <p>18 mean, were representative of every office space that</p> <p>19 we could get in and take a photo of with -- with the</p> <p>20 exception of Odessa. We -- again, we didn't do the</p> <p>21 Odessa office.</p> <p>22 Q. So generally, you took photos of all of the</p> <p>23 areas, not just areas that needed to be repaired?</p> <p>24 A. Correct. Yes, ma'am.</p> <p>25 Q. When conducting your inspections, how do</p>
<p style="text-align: right;">Page 199</p> <p>1 there was a -- a -- a Yellow -- a -- a -- some</p> <p>2 personnel or a manager or something that would meet</p> <p>3 us and let us into the facility, but Tom was the</p> <p>4 assigned person to get us into the building or into</p> <p>5 the site.</p> <p>6 Q. Did -- other than getting you access into</p> <p>7 the building, did Tom provide any direction or</p> <p>8 guidance as you were conducting the inspection?</p> <p>9 A. No. No. Tom is more of a real estate --</p> <p>10 Tom's background is not in construction.</p> <p>11 Q. Did anyone from Southeastern provide you</p> <p>12 with any guidance or instruction when looking at</p> <p>13 these -- when looking at the sites?</p> <p>14 A. No, ma'am.</p> <p>15 Q. For all three sites -- instead of repeating</p> <p>16 the properties every time, so when I say "all three</p> <p>17 sites," again, for the record, I'm referring to</p> <p>18 McAllen, Tulsa, and Odessa.</p> <p>19 But for all three sites, it looks like you</p> <p>20 sent an e-mail with photos to Tom Herndon,</p> <p>21 correct --</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. -- after -- after conducting the</p> <p>24 inspections?</p> <p>25 Are all of the photos that you took</p>	<p style="text-align: right;">Page 201</p> <p>1 you distinguish between a material defect and normal</p> <p>2 wear and tear?</p> <p>3 A. I -- the difference between a material</p> <p>4 defect and normal wear and tear. I -- I guess I'm</p> <p>5 trying to understand if it's a material -- I -- a</p> <p>6 material defect would be -- I -- I guess I'm trying</p> <p>7 to understand. I'm trying -- I think maybe what</p> <p>8 you're asking me is normal wear and tear versus if I</p> <p>9 determine -- if it's normal wear and tear versus</p> <p>10 something that is -- is now defective after years of</p> <p>11 use? Is that -- is that the question?</p> <p>12 Q. Is -- is there a difference -- when -- when</p> <p>13 conducting the inspections, are you noting -- are</p> <p>14 you making a distinction between -- between items</p> <p>15 that need to be repaired versus those that might</p> <p>16 have a minor defect or --</p> <p>17 A. I -- I mean --</p> <p>18 Q. -- do not --</p> <p>19 A. Yeah. No, I -- I mean, this exercise for</p> <p>20 the Tulsa and McAllen facility were, I mean, again,</p> <p>21 not indicative of normal wear and tear. I mean,</p> <p>22 there -- there was a lot of things that were, again,</p> <p>23 damaged and -- I don't know that I'm answering your</p> <p>24 question. Maybe ask me again and. . .</p> <p>25 Q. I'll ask some more specific questions as we</p>

<p style="text-align: right;">Page 202</p> <p>1 go along.</p> <p>2 A. I'm doing a terrible job answering your</p> <p>3 questions so far, but. . .</p> <p>4 Q. No, you're doing great. I'll ask some</p> <p>5 more -- some more pointed questions --</p> <p>6 A. Okay.</p> <p>7 Q. -- with -- with examples in a -- in a</p> <p>8 second.</p> <p>9 Did Southeastern ask you to identify items</p> <p>10 or areas that were not in safe and good operable</p> <p>11 condition?</p> <p>12 A. No, ma'am.</p> <p>13 Q. But you did take note of areas or items</p> <p>14 that you found not to be safe or in good operable</p> <p>15 condition?</p> <p>16 A. Yes.</p> <p>17 Q. All right. We're going to take a look at a</p> <p>18 few examples.</p> <p>19 MR. FALLON: If our court technician</p> <p>20 could put on the screen Exhibit 5.</p> <p>21 EXHIBIT TECHNICIAN: Counsel, that was</p> <p>22 Exhibit 5?</p> <p>23 MS. LAMPLEY: Excuse me, what did you</p> <p>24 say?</p> <p>25 EXHIBIT TECHNICIAN: Was that -- that</p>	<p style="text-align: right;">Page 204</p> <p>1 incomplete work.</p> <p>2 Q. What do you mean by "incomplete work"?</p> <p>3 A. That if somebody pulls something off the</p> <p>4 wall, that it would have to be repaired and put back</p> <p>5 to its original state.</p> <p>6 Q. And what -- what would you recommend to put</p> <p>7 this back to its original state?</p> <p>8 A. For that, to likely skim coat the wall --</p> <p>9 to -- to go back and do some sort of a skim coat</p> <p>10 over the -- the areas where -- you've got areas of</p> <p>11 paint, you've got areas of drywall, but to -- to go</p> <p>12 back and do a skim coat and then do a primer and --</p> <p>13 and repaint the wall and get it all on its -- the</p> <p>14 same level plane, horizontal plane.</p> <p>15 Q. And I understand that you don't prepare the</p> <p>16 estimates for the sites, correct?</p> <p>17 A. That's correct.</p> <p>18 Q. But you do review them?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. So in this -- in this case, would Schwob</p> <p>21 suggest or recommended stripping and painting of</p> <p>22 the -- that entire room or just that particular</p> <p>23 wall?</p> <p>24 A. Well, for that, to do -- to do the --</p> <p>25 the -- the skim coat on the wall, no, it would just</p>
<p style="text-align: right;">Page 203</p> <p>1 was Exhibit 5, correct?</p> <p>2 MS. LAMPLEY: Yes.</p> <p>3 EXHIBIT TECHNICIAN: Okay.</p> <p>4 MS. LAMPLEY: And I believe it should</p> <p>5 be Bates page ending in 598.</p> <p>6 BY MS. LAMPLEY:</p> <p>7 Q. Mr. Erickson, Counsel showed you this photo</p> <p>8 earlier. Do you recall that?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. And you noted that the wall was in need of</p> <p>11 repair, right?</p> <p>12 A. Yes.</p> <p>13 Q. And you stated that it was possibly due to</p> <p>14 some type of adhesive or something being on the wall</p> <p>15 and being stripped from it, correct?</p> <p>16 A. Yeah. I can't remember if it was adhesive</p> <p>17 or somebody had tape bed and textured around some</p> <p>18 sort of a -- a -- a wall element. But yes.</p> <p>19 Q. Would this be considered normal wear and</p> <p>20 tear?</p> <p>21 A. That be normal wear and tear? No, it's --</p> <p>22 Q. That's --</p> <p>23 A. -- it's --</p> <p>24 Q. Yes, that's the question.</p> <p>25 A. It's -- yeah. It's -- to me, it's</p>	<p style="text-align: right;">Page 205</p> <p>1 be for that specific area for that wall. There are</p> <p>2 areas that have wall damage that would have to have</p> <p>3 areas of patch and, again, skim coat. It's not as</p> <p>4 simple as just, you know, putting spackle on a wall.</p> <p>5 And I'm not saying that it isn't sometimes, but a</p> <p>6 lot of times, it's not.</p> <p>7 MR. FALLON: And if the technician</p> <p>8 could scroll to the page ending in 610.</p> <p>9 BY MR. FALLON:</p> <p>10 Q. The following is an image of the floor of</p> <p>11 the McAllen property, right?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. And for the record, Exhibit 5 is the</p> <p>14 McAllen property, correct, and these are the photos</p> <p>15 that you sent --</p> <p>16 A. Oh, yes. Yeah, I didn't --</p> <p>17 Q. -- Mr. Erickson?</p> <p>18 A. When you -- I -- when -- when -- I struggle</p> <p>19 with it when -- I don't know what photo number.</p> <p>20 I -- I can't see the photo numbers, so it's hard for</p> <p>21 me to say if that's photo Number whatever. But,</p> <p>22 yes, that's -- yes.</p> <p>23 Q. But this is the McAllen property?</p> <p>24 A. Yes, ma'am.</p> <p>25 Q. Earlier in your testimony, you stated that</p>

<p style="text-align: right;">Page 206</p> <p>1 the floors -- and there were various images. You</p> <p>2 state that the floors were likely damaged in part</p> <p>3 due to chair scuffing.</p> <p>4 A. Well, just roller chairs wearing out the --</p> <p>5 the surface of the -- the floor.</p> <p>6 Q. In this image here, this would not be</p> <p>7 considered normal wear and tear?</p> <p>8 A. No. I mean, if -- if you were to pick one</p> <p>9 photo that's probably representative of the best --</p> <p>10 the better of the looking floors, to me, that would</p> <p>11 be it.</p> <p>12 Q. Sorry, could you repeat that one more time?</p> <p>13 A. If you were to pick out a floor photo that</p> <p>14 was representative of something that had the ability</p> <p>15 to likely be -- possibly be cleaned up and look</p> <p>16 okay, this one does have a possibility. It's got</p> <p>17 some wear, but it doesn't have the wear that the</p> <p>18 other rooms and offices that we saw that were, you</p> <p>19 know, worn through the -- the top surface of the --</p> <p>20 the floor tile.</p> <p>21 Q. So for -- for this room and the facility</p> <p>22 in -- in -- in general, would the estimate be a</p> <p>23 proposal for replacement of the -- all the floors in</p> <p>24 the facility or only those that had major issues?</p> <p>25 A. No, it -- it would be -- be for all of</p>	<p style="text-align: right;">Page 208</p> <p>1 would still look significantly different and old and</p> <p>2 aged, leaving a -- a smaller -- you know, leaving</p> <p>3 a -- for example, if you were to do everything and</p> <p>4 leave this room as it is and clean it. . .</p> <p>5 And, again, at that point, you have</p> <p>6 somebody out there doing the flooring work. I don't</p> <p>7 know that you're saving a ton of money by having</p> <p>8 somebody go in and -- and for one specific room to</p> <p>9 go in and clean, clean, clean the floor to try to</p> <p>10 get it to -- to look new to match the rest. I mean,</p> <p>11 that's -- there is a cost associated with that.</p> <p>12 Q. So it's your opinion that there were -- a</p> <p>13 large percentage of the floors did need to be</p> <p>14 replaced compared to the areas that didn't?</p> <p>15 A. Yes. Yes, ma'am, absolutely.</p> <p>16 MR. FALLON: If the technician could</p> <p>17 pull up Exhibit 12.</p> <p>18 BY MR. FALLON:</p> <p>19 Q. Mr. Erickson, do you recall seeing this</p> <p>20 exhibit earlier?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. And in your testimony, you noted that there</p> <p>23 was rust and corrosion present on the -- on the</p> <p>24 roof?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 207</p> <p>1 them. It's -- the -- the issue is that when you put</p> <p>2 new floors in to try to transition to a floor that's</p> <p>3 been down and been -- there's no question after this</p> <p>4 floor -- if it could be cleaned up to some degree</p> <p>5 would still look like a significantly old floor</p> <p>6 that's been cleaned to try to transition, you know,</p> <p>7 brand-new flooring into something that is still aged</p> <p>8 and worn, and that's the issue.</p> <p>9 The -- the other concern is that -- in</p> <p>10 some of these older floorings, that there's a</p> <p>11 possibility that it's -- the -- the sizing -- the --</p> <p>12 again, this is vinyl composition tile, VCT, and</p> <p>13 the -- the sizing of the tile varies from the older</p> <p>14 floor to the new floor or the -- the newer floors.</p> <p>15 There -- there's actually a tile called the vinus --</p> <p>16 vinyl -- VAT tile, vinyl asbestos tile, and it's</p> <p>17 actually nominally -- a -- a difference -- like, for</p> <p>18 example, instead of a 12-by-12-inch tile, you know,</p> <p>19 they're ten-by-ten-inch tiles.</p> <p>20 And I can't speak to if that's what this</p> <p>21 is or not, but, you know, the concern is, you know,</p> <p>22 transitioning new floors into old floors. And so we</p> <p>23 were of the opinion that when so many of the floors</p> <p>24 are dilapidated, even if there was a small remaining</p> <p>25 area that could be questionably cleaned, that it</p>	<p style="text-align: right;">Page 209</p> <p>1 Q. And this is the McAllen roof, correct?</p> <p>2 A. Yes. Yes, ma'am.</p> <p>3 Q. Does the presence of rust present a safety</p> <p>4 hazard?</p> <p>5 A. Yes, I mean, it -- if it's bad enough,</p> <p>6 for -- absolutely.</p> <p>7 Q. And how so?</p> <p>8 A. Well, if somebody were to get on the</p> <p>9 surface, you know, they would fall through. One</p> <p>10 of -- an issue that metal roofs are notorious for is</p> <p>11 if somebody tries to go in and take a rusted roof,</p> <p>12 one that's corroded, a -- a lot of people will try</p> <p>13 to go in and -- and put some sort of just a roof</p> <p>14 coating system on it. And what they've had over the</p> <p>15 years is that, you know, so now you got this nice,</p> <p>16 white, shiny roof and somebody gets on the roof and</p> <p>17 it's still corroded underneath and -- and somebody</p> <p>18 walks across the roof and falls -- falls through it</p> <p>19 because it -- it looks good on the surface, but, you</p> <p>20 know, it's structurally compromised.</p> <p>21 So -- you know, but that -- that's one of</p> <p>22 the risks. With all the fasteners that are rusted</p> <p>23 and corroded, you know, and -- and -- and high-wind</p> <p>24 events and -- and uplift on the roof, it could pull</p> <p>25 the roof off. It's -- it's -- it's not -- it's not</p>

<p style="text-align: right;">Page 210</p> <p>1 great.</p> <p>2 Q. Would that be the presence of any rust or</p> <p>3 corrosion, or is there a certain amount that would</p> <p>4 make a roof unsafe?</p> <p>5 A. No, I -- I think it takes a certain amount.</p> <p>6 I -- I think it definitely takes a -- a certain</p> <p>7 amount.</p> <p>8 Q. And is -- is it your opinion that there's</p> <p>9 enough rust and corrosion on this roof to present a</p> <p>10 safety hazard?</p> <p>11 A. You know, for us, we ended up putting this</p> <p>12 proposal together in-house. The -- the reroof</p> <p>13 proposal -- because after looking at the photos</p> <p>14 after the fact, I mean, we were concerned enough</p> <p>15 that -- that, you know, we felt like that it could</p> <p>16 be a candidate for it. You know, it -- it's -- it's</p> <p>17 questionable as to, you know, what's the right way</p> <p>18 to repair this. You know, there may be the</p> <p>19 possibility that removing a certain portion of the</p> <p>20 panels and leaving some of the other existing panels</p> <p>21 and taking all the fasteners out that are rusted and</p> <p>22 replacing all the fasteners, that that could</p> <p>23 potentially be a solution that -- that -- you know,</p> <p>24 with a little bit further investigation that could</p> <p>25 potentially save some money. But, again, we were --</p>	<p style="text-align: right;">Page 212</p> <p>1 right off the highway and a piece of metal blows off</p> <p>2 and lands on the highway, I think that could</p> <p>3 probably present a problem.</p> <p>4 But, you know, the fact that the building</p> <p>5 doesn't have power is not a great thing. Of course,</p> <p>6 you know, the good thing is it's unoccupied, so --</p> <p>7 but if it was to have some sort of a fire event or</p> <p>8 something for whatever reason, the building --</p> <p>9 again, it's -- that -- it's -- it's unoccupied, I'm</p> <p>10 going to guess it's going to remain unoccupied until</p> <p>11 it has power, but -- you know, I'm trying to think</p> <p>12 related to Tulsa and McAllen.</p> <p>13 Odessa, not -- I mean, again, the -- the</p> <p>14 office was in great shape, and the dock was in very</p> <p>15 good shape, but I'm just trying to think of the</p> <p>16 immediate concerns.</p> <p>17 Q. I'm going to ask you some other questions</p> <p>18 specific to the properties, too, so if --</p> <p>19 A. Okay.</p> <p>20 Q. -- if something else jogs your memory,</p> <p>21 that's totally fine to --</p> <p>22 A. Okay. Perfect.</p> <p>23 Q. -- add it on.</p> <p>24 A. Okay. Perfect.</p> <p>25 Q. When estimating costs for repairs, can</p>
<p style="text-align: right;">Page 211</p> <p>1 had kind of limited time, and it really lends itself</p> <p>2 to a -- a really thorough inspection.</p> <p>3 Q. Understood.</p> <p>4 But at -- so at this point, it's possible</p> <p>5 that there could be an alternative option that would</p> <p>6 bring the roof back up to a safe and good condition?</p> <p>7 A. It's -- it's -- it is possible, yes.</p> <p>8 Q. In general, from all -- from all three</p> <p>9 inspections of the -- the three different sites,</p> <p>10 were there any repairs, in your opinion, that</p> <p>11 require immediate attention due to safety hazards?</p> <p>12 A. Well, I mean, if we focused right here in</p> <p>13 McAllen, the -- the fact that the -- the office was</p> <p>14 leaking and the ceiling was wet, I mean, it -- it --</p> <p>15 to me, that's a safety -- that's a -- that's a</p> <p>16 potential mold concern, and so I -- I would -- you</p> <p>17 know, mold in a -- in an office environment's not --</p> <p>18 not a good thing, so, you know, that's, to me, a</p> <p>19 very immediate concern that could be addressed.</p> <p>20 You know, the -- the damage at the -- the</p> <p>21 canopy in Tulsa, you know, structurally, it appeared</p> <p>22 to be okay, but there were pieces of metal that</p> <p>23 were -- felt like they were just kind of hanging</p> <p>24 off. And -- and, you know, you get some wind event</p> <p>25 or something in Tulsa, that facility is located</p>	<p style="text-align: right;">Page 213</p> <p>1 estimates vary based on whether the client is</p> <p>2 looking for a short-term repair versus a long-term</p> <p>3 solution or renovation?</p> <p>4 A. Yeah. I mean, yes.</p> <p>5 Q. When estimating the cost of repairs, what</p> <p>6 is the -- what is the typical practice? Does Schwob</p> <p>7 inquire with the client before coming up with the</p> <p>8 estimates --</p> <p>9 A. No.</p> <p>10 Q. -- regarding what their --</p> <p>11 A. On a --</p> <p>12 Q. All right. You said, "No"?</p> <p>13 A. On a -- if you're talking about -- a -- a</p> <p>14 typical renovation project for us, we will be</p> <p>15 given -- we will go and develop a scope, go -- and</p> <p>16 then present that scope and alter that scope based</p> <p>17 on the direction of the -- direction of our -- our</p> <p>18 customer, you know, and there may be scope --</p> <p>19 Q. So you provide --</p> <p>20 A. -- that they don't -- go ahead.</p> <p>21 Q. No, finish. I didn't mean to cut you off.</p> <p>22 A. That's okay. I can't remember what I was</p> <p>23 going to say. Go ahead.</p> <p>24 Q. So my understanding is that you provide the</p> <p>25 scope of the project or renovation and then alter</p>

<p style="text-align: right;">Page 214</p> <p>1 that based on guidance from the client.</p> <p>2 Is that what you stated?</p> <p>3 A. Yeah, yeah. A client may look at it and</p> <p>4 say, "Hey, you know, we -- we don't want to -- we're</p> <p>5 looking to do -- you're looking to do X. We want to</p> <p>6 do Y. You know, we want to do something different</p> <p>7 here. We like to see these types of improvements."</p> <p>8 And then we generally, you know, try to lead them</p> <p>9 based on, you know, best practices like, "Well, you</p> <p>10 know, if you're going to" -- a lot of times, if we</p> <p>11 go into a renovation, somebody will have the idea to</p> <p>12 go in and -- and try do something that they think is</p> <p>13 fairly simple, and it's -- ends up not being very</p> <p>14 simple, and so we have to explain to them that it's</p> <p>15 generally, you know -- for example, moving a wall.</p> <p>16 Well, moving a wall is much more than moving a wall</p> <p>17 because you got to fix the floors, you got to fix</p> <p>18 the ceilings. It's -- you're -- we're not just</p> <p>19 moving a wall. We're affecting multiple things, you</p> <p>20 know, electrical and et cetera.</p> <p>21 Q. Are you involved at all in estimating the</p> <p>22 cost of materials or making inquiries about the</p> <p>23 quality of materials that the customer would like to</p> <p>24 use in a renovation?</p> <p>25 A. I -- I don't -- I don't generally get too</p>	<p style="text-align: right;">Page 216</p> <p>1 Broerman was responsible for doing the estimates --</p> <p>2 A. Yes, ma'am.</p> <p>3 Q. -- or at least was on-site with you, right?</p> <p>4 A. Yes, ma'am, both, but yes.</p> <p>5 Q. Okay. So when -- when Chris is drafting</p> <p>6 these estimates, does he make any inquiries related</p> <p>7 to what the -- the client's long-term goals or</p> <p>8 budget before making the estimates?</p> <p>9 A. No. I mean, he's taking -- again, this was</p> <p>10 a -- for us, it wasn't something -- I mean, it -- it</p> <p>11 would have been a lot easier for us in this process</p> <p>12 to really sit down and -- and probably bring an</p> <p>13 architect or an engineer, develop a scope, and then</p> <p>14 go out and competitively price that scope and I</p> <p>15 think it would have been more thorough. It would</p> <p>16 have been more inclusive of what we've -- what we've</p> <p>17 included. It would have probably many more things,</p> <p>18 identify many more issues.</p> <p>19 But, no, I mean, he -- he's -- he's taking</p> <p>20 areas where walls -- I mean, assuming, you know,</p> <p>21 basic finishes on the walls, basic floor finishes,</p> <p>22 you know, as far as representative of these projects</p> <p>23 and generally -- you know, generally what those</p> <p>24 costs per square foot.</p> <p>25 Q. When you say "architects, engineers," are</p>
<p style="text-align: right;">Page 215</p> <p>1 involved in that. We'll have architects that we</p> <p>2 work that determine -- really kind of determine the</p> <p>3 materials and, you know, develop, you know, that</p> <p>4 material list and -- and those specs.</p> <p>5 Q. Is that -- is that based at all on the</p> <p>6 client's budget or any guidance related to what type</p> <p>7 of materials they want to use or the quality of</p> <p>8 those materials?</p> <p>9 A. I think it's probably a collaboration</p> <p>10 between the owner and the architect, you know,</p> <p>11 determining what their needs are and the type of</p> <p>12 wear and tear and the -- the life expectancy that</p> <p>13 they're looking to try to get out of something. And</p> <p>14 the architect will come up and present different</p> <p>15 ideas, samples which are representative of finishes,</p> <p>16 color, texture, style, and that -- and that could</p> <p>17 be, you know, arranged for all -- all kinds of</p> <p>18 various products, whether it be paint, flooring,</p> <p>19 doors, hardware, millwork, a lot of things, but --</p> <p>20 and you had asked me before am I -- I believe you'd</p> <p>21 asked me as far as do I get involved in the -- you</p> <p>22 know, doing the actual estimates, and I -- I do not</p> <p>23 do -- I don't do the actual estimates at this point.</p> <p>24 Q. Understood.</p> <p>25 Well, so for -- I think you said Chris</p>	<p style="text-align: right;">Page 217</p> <p>1 those in-house through Schwob, or that -- is that</p> <p>2 related to subcontractors?</p> <p>3 A. No, that -- no, that would be architects</p> <p>4 and engineers. We don't keep architects and</p> <p>5 engineers in house. Those would be separate firms,</p> <p>6 and -- and they're the ones that, you know,</p> <p>7 generally whether it's a new -- mo- -- most --</p> <p>8 not -- not most. All new construction projects or</p> <p>9 renovations you know, require, you know -- and I'm</p> <p>10 talking about significant renovations. If you're</p> <p>11 going in and -- and repainting walls and floor, it's</p> <p>12 a different deal. That could be an interior</p> <p>13 decorator or somebody that's a design-type person,</p> <p>14 but, again, an architect generally gets involved in</p> <p>15 that.</p> <p>16 But -- but, no, you know, most all</p> <p>17 projects have an architect -- you know, architects</p> <p>18 and engineers involved in the process stamp to the</p> <p>19 drawings, submit them, submit them to the City,</p> <p>20 and -- and get approved and -- and for -- for</p> <p>21 construction.</p> <p>22 Q. So in a -- to just -- to make sure I'm</p> <p>23 understanding you right, in this -- in this</p> <p>24 particular instance, Chris provided an estimate to</p> <p>25 Southeastern based on your site walk-through,</p>

<p style="text-align: right;">Page 218</p> <p>1 correct?</p> <p>2 A. Yes, ma'am.</p> <p>3 Q. But that estimate was not -- you did not</p> <p>4 have any guidance from Southeastern related to its</p> <p>5 goals or long-term --</p> <p>6 A. No.</p> <p>7 Q. -- intentions with renovating the project?</p> <p>8 A. No. And, I mean, with a more detailed</p> <p>9 breakout, I think what you would see is that there's</p> <p>10 average -- for example, if you were to take</p> <p>11 something simple like flooring, because that's going</p> <p>12 to be square footage and it's generally going to be</p> <p>13 localized to the office space -- if you were to take</p> <p>14 those office areas and take the total square</p> <p>15 footage, he would have plugged in a number per</p> <p>16 square foot for that new flooring, and that number</p> <p>17 would have been the same for either facility, and it</p> <p>18 would have been what the typical rate is for new VCT</p> <p>19 flooring.</p> <p>20 Q. When conducting these estimates does he</p> <p>21 consider only replacing certain doors or only doing</p> <p>22 repairs versus full replacements of items or areas?</p> <p>23 A. This one is a little bit more challenging.</p> <p>24 I -- I think we looked at some of this on the door</p> <p>25 hardware is potentially a -- a full replacement of</p>	<p style="text-align: right;">Page 220</p> <p>1 final, though, correct?</p> <p>2 A. They're final for the time being. Is there</p> <p>3 more scope out there that needs to be determined?</p> <p>4 Likely.</p> <p>5 Q. Is it possible that the estimates could be</p> <p>6 lower than what they currently are?</p> <p>7 A. I -- I -- I don't believe so. I will tell</p> <p>8 you the -- the proposal that we put together for --</p> <p>9 that we did in-house on the reroof for McAllen, I --</p> <p>10 I believe that we could definitely get a better</p> <p>11 number from a local vendor there if that was elected</p> <p>12 to have a reroof, and I think I -- I mentioned that</p> <p>13 earlier. But my -- my concern is that with further</p> <p>14 investigation and more time, and this really lends</p> <p>15 itself to architects and engineers really kind of</p> <p>16 seeing what's going on, it would -- would add likely</p> <p>17 significantly more scope, and scope translates to --</p> <p>18 to cost.</p> <p>19 Q. Based on your review and testimony of the</p> <p>20 estimate summaries for all three sites, it appears</p> <p>21 that -- it appears that Schwob has only received</p> <p>22 subcontractor bid proposals from one entity for each</p> <p>23 project --</p> <p>24 A. Yes, ma'am.</p> <p>25 Q. -- is that correct?</p>
<p style="text-align: right;">Page 219</p> <p>1 hardware, and a lot of the doors -- I think McAllen</p> <p>2 had a lot -- you know, wood doors that were severely</p> <p>3 damaged, which requires to -- to put new frames, new</p> <p>4 doors.</p> <p>5 So to answer your question, I mean, I</p> <p>6 think a lot of these were full replacement of doors</p> <p>7 and frames. I don't know that it's all inclusive.</p> <p>8 I -- I believe that's the case for McAllen. Tulsa,</p> <p>9 I don't believe so.</p> <p>10 But the concern is that if you go in and</p> <p>11 you renovate a space, that it can trigger, for</p> <p>12 example, in the state of Texas, TDLR requirements,</p> <p>13 which are Texas Department of Licensing and</p> <p>14 Regulations for ADA requirements. And if</p> <p>15 renovations exceed a certain dollar value, you're</p> <p>16 generally required to go in and do ADA upgrades.</p> <p>17 You know, these, it would likely apply. I don't --</p> <p>18 and, you know -- and -- and -- and the big thing in</p> <p>19 that is, you know, you have to have specific door</p> <p>20 hardware. I mean, that's really going down a rabbit</p> <p>21 hole because it arguably could change all the</p> <p>22 toilets. It could change -- it mean, it could add</p> <p>23 probably a lot more costs than what we've included</p> <p>24 to give you these necessary ADA upgrades.</p> <p>25 Q. Would you say that these estimates are not</p>	<p style="text-align: right;">Page 221</p> <p>1 A. That -- that is correct.</p> <p>2 Q. Is -- is that typical?</p> <p>3 A. No, it's not. We -- I -- we -- we don't</p> <p>4 love it. I don't -- I don't love it for -- for</p> <p>5 various reasons.</p> <p>6 Q. What would be the typical process for</p> <p>7 getting a subcontractor bid?</p> <p>8 A. I -- I'm sorry, the process to get it?</p> <p>9 Q. Sorry, or the process for choosing a</p> <p>10 subcontractor.</p> <p>11 A. Well, what you'd want to do is develop a</p> <p>12 scope and in a -- in a situation like this go do</p> <p>13 like we did with, for example, like, the asphalt</p> <p>14 subcontractors, walk the site; bring them out to the</p> <p>15 site so that they're, you know, looking at it;</p> <p>16 reviewing the conditions; getting their thoughts;</p> <p>17 developing a scope.</p> <p>18 But, yeah, I mean, the process would be,</p> <p>19 you know, finding people that -- that -- what you</p> <p>20 like to do is find people that you've worked with</p> <p>21 before that you trust and soliciting them, bring</p> <p>22 them out to the site, and walk the site, evaluate</p> <p>23 the conditions, and -- so that it -- it helps</p> <p>24 increase the accuracy of their proposal.</p> <p>25 Q. For these three sites did the</p>

<p style="text-align: right;">Page 222</p> <p>1 subcontractors walk the sites?</p> <p>2 A. Yes. Specifically, the asphalt. And then</p> <p>3 on Tulsa, it was the electrician as well.</p> <p>4 Q. Did these contractors also --</p> <p>5 subcontractors also view the doors at the Tulsa site</p> <p>6 or the McAllen site?</p> <p>7 A. No, ma'am.</p> <p>8 Q. So were those bids based off of your</p> <p>9 inspections or Schwob's inspections?</p> <p>10 A. Yeah. And that was an estimate that we put</p> <p>11 together internally. That was -- did not have a</p> <p>12 bid.</p> <p>13 Q. I believe for the McAllen site, you</p> <p>14 received a bid from -- is it JQuip? Do you recall</p> <p>15 that?</p> <p>16 A. No. What -- what's it called?</p> <p>17 Q. JQuip. J-E-Q-U-I-P. JE Quip -- or JE</p> <p>18 Quip?</p> <p>19 A. Is that in the -- is that in here? Oh.</p> <p>20 Q. Yeah.</p> <p>21 A. Oh, oh.</p> <p>22 Q. When we go on break, I can -- I can find</p> <p>23 it.</p> <p>24 A. Oh, no, no, no, no. You're talking Johnson</p> <p>25 Equipment. Yes, yes, yes. I'm sorry. Yes.</p>	<p style="text-align: right;">Page 224</p> <p>1 Q. Understood.</p> <p>2 So you -- in actuality, Schwob would not</p> <p>3 have been responsible for replacing the doors; this</p> <p>4 was just a -- an estimate --</p> <p>5 A. Yeah. It's --</p> <p>6 Q. -- which -- which will --</p> <p>7 A. We -- we took the information that they</p> <p>8 gave us for the cost of those doors and then</p> <p>9 repaired the doors and developed that estimate here</p> <p>10 internally but with this information, which is --</p> <p>11 Q. Got it.</p> <p>12 A. -- not -- which is a fairly standard</p> <p>13 procedure for us to. . .</p> <p>14 Q. Understood.</p> <p>15 Okay.</p> <p>16 EXHIBIT TECHNICIAN: Counsel --</p> <p>17 BY MS. LAMPLEY:</p> <p>18 Q. I'm almost wrapping --</p> <p>19 EXHIBIT TECHNICIAN: -- do you still</p> <p>20 want this document shared on the screen?</p> <p>21 MS. LAMPLEY: No, you can take that</p> <p>22 down. Thank you. But if you could bring up</p> <p>23 Exhibit 2.</p> <p>24 EXHIBIT TECHNICIAN: Sure. One</p> <p>25 moment.</p>
<p style="text-align: right;">Page 223</p> <p>1 Q. No, my apologies. I was clearly wrong.</p> <p>2 Johnson Equipment?</p> <p>3 A. Yes, ma'am. Yes.</p> <p>4 Q. So you received a -- a subcontractor bid</p> <p>5 from Johnson Equipment for the McAllen site --</p> <p>6 A. It wasn't --</p> <p>7 Q. -- to replace the doors?</p> <p>8 A. No, ma'am, it wasn't a bid. They gave us a</p> <p>9 unit cost for the doors, and then from our walk, we</p> <p>10 determined to try to make due -- all the doors were</p> <p>11 severely damaged, and we determined that based on</p> <p>12 our estimate that you could take and make do with</p> <p>13 the parts and pieces and components of half the</p> <p>14 doors to try to make half the doors work and</p> <p>15 functional and then put new doors on. Of course,</p> <p>16 when you do that, now you lose the other half of</p> <p>17 doors and then put new doors on the -- on the</p> <p>18 remaining. So it seemed like a -- a much more</p> <p>19 cost-effective, smart approach to -- than --</p> <p>20 otherwise, that amount would have doubled putting</p> <p>21 all new doors. And -- and I'm not suggesting</p> <p>22 that --</p> <p>23 Q. Understood.</p> <p>24 A. -- every single one needed all new doors,</p> <p>25 but they -- pretty much all of them did.</p>	<p style="text-align: right;">Page 225</p> <p>1 BY MS. LAMPLEY:</p> <p>2 Q. Mr. Erickson, I'm going to ask you a few</p> <p>3 follow-up questions again related to the Tulsa</p> <p>4 property.</p> <p>5 So you -- I believe you mentioned earlier</p> <p>6 that APAC was the subcontractor for the asphalt</p> <p>7 paving for the Tulsa property?</p> <p>8 A. Yes. Yes. Yes, ma'am.</p> <p>9 Q. And the estimate for that project was</p> <p>10 345- -- approximately 345,000?</p> <p>11 A. Yes.</p> <p>12 Q. And, again, you stated that you did not</p> <p>13 receive or -- or seek additional bid proposals from</p> <p>14 any other subcontractors for that work?</p> <p>15 A. That's correct.</p> <p>16 Q. So it's possible there could be a lower or</p> <p>17 more competitive bid --</p> <p>18 A. It's --</p> <p>19 Q. -- available?</p> <p>20 A. It's -- yeah, it's certainly possible.</p> <p>21 It -- it's also possible that the one bid that --</p> <p>22 the downside to getting one bid -- let -- let me</p> <p>23 clarify that when we bring -- in a situation where</p> <p>24 you've got one bidder show up, you -- you never let</p> <p>25 them know that they're the only one that's showed</p>

<p style="text-align: right;">Page 226</p> <p>1 up. In the spirit of time, we were unfortunately 2 only able to get one person out there, but. . . 3 The disadvantage in getting one number is 4 that I think everybody always speculates that 5 there's always a lower number, and everybody 6 generally forgets that sometimes that first number 7 you get -- and, again, they think they're in a 8 competitive situation because they don't know any 9 different -- that that one number that you get is 10 the wrong number, that it's -- and I'm not 11 suggesting that's the case here, but I just want to 12 remind everybody that you get the one number that is 13 low and that they missed a lot of stuff, and then it 14 comes time to go out there and start the work, and 15 the subcontractor says, "Oh, you know, I missed my 16 estimate by \$100,000." 17 So to me, that's the biggest benefit in 18 getting multiple bids is to make sure that you -- 19 you don't have a low-low number that -- for somebody 20 that can't perform the work and made -- made a 21 mistake. And believe it or not, I know we all make 22 mistakes, but when a subcontractor misses a number 23 and we run with that number and that number's off by 24 a significant amount, you know, we all own it. Not 25 all. But in my case, I'm stuck with that, and</p>	<p style="text-align: right;">Page 228</p> <p>1 that asphalt has to be a certain level thickness. 2 And, again, I -- I'm not an asphalt expert, but -- 3 and being from Texas, we do significantly more 4 concrete than we do asphalt, so that's where I'm at 5 a little bit of a disadvantage. I'm sure over on 6 the East Coast, you guys probably do a little bit 7 more asphalt than -- than we do here. 8 But my understanding of asphalt is it's 9 not something that you can come back and just put a 10 half -- half inch of asphalt over the top of 11 something. It -- it won't stay together; it won't 12 bind. And -- and one inch is insignificant, so, I 13 think, generally, kind of the minimum lift that you 14 can put down is, I -- I -- I believe to be, two 15 inches. 16 Q. Is it possible that APAC could have 17 provided an estimate for repatchwork or sealing the 18 cracks of the Tulsa site? 19 A. Is it -- is it possible that they provided 20 us with a proposal? 21 Q. Could they have -- could they have provided 22 a -- a proposal for an alternative option rather 23 than reinstallation? 24 A. Yeah, I -- I'm -- I -- yeah, I guess it's 25 certainly possible.</p>
<p style="text-align: right;">Page 227</p> <p>1 that's not a cost I can go recover from my customer. 2 Q. Understood. 3 When working with APAC to get an estimate 4 for the asphalt paving -- 5 A. Yes, ma'am. 6 Q. -- did you -- did you direct them to 7 provide an estimate for the complete reinstallation 8 of the asphalt? 9 A. No. They walked the site, and we asked 10 them, you know, "What are your thoughts?" And the 11 suggestion, the recommendation was a -- was a -- was 12 a mill and overlay. 13 Q. In all three of the sites, these 14 subcontractors recommended a -- a mill and then an 15 overlay of a depth of two inches, correct? 16 A. Yes, ma'am. And I -- I think that's a -- 17 Q. Do you know what the -- 18 A. -- pretty typical -- I -- I believe it's a 19 pretty typical profile for a mill and overlay. 20 Q. The -- the two-inch depth -- 21 A. Yes, ma'am. 22 Q. -- or -- 23 A. Yes. 24 Q. -- the -- 25 A. When you -- when you put a top course on,</p>	<p style="text-align: right;">Page 229</p> <p>1 Q. You noted in the -- or you testified 2 earlier that the Tulsa site had severe line cracking 3 in the asphalt -- 4 A. In, I'm sorry -- 5 Q. -- correct? 6 A. -- which site? 7 Q. In the -- the Tulsa site -- 8 A. Yes, ma'am. Yes. 9 Q. -- I believe you testified that there was 10 severe line cracking? 11 A. Yeah, a -- I -- I kind of described it as, 12 like, longitudinal cracking and very -- 13 Q. Okay. 14 A. -- wide cracks. 15 Q. Severe longitudinal -- what was that? I'm 16 sorry, we're talking over each other. 17 A. That's okay. It -- there were just wide 18 cracks. Like, they -- the cracks had gotten bigger 19 and bigger over time, like, very -- very wide in 20 width. 21 Q. Does that propose a -- a safety concern? 22 A. I mean, I think you probably would have to 23 work hard to trip over the cracks, trip -- trip on 24 the cracks. I don't think it's an imminent danger 25 situation. It's certainly not as dangerous as</p>

<p style="text-align: right;">Page 230</p> <p>1 raveling concrete where you have loose gravel on the 2 top and a -- and a vehicle were to hit the brakes 3 and slide across the gravel or for some reason, you 4 know, the vehicle can't stop because the wheels are 5 on gravel. So, no, I would describe -- to me, that 6 would be an unsafe condition. I -- I wouldn't 7 describe this as -- this as -- as much of a safety 8 deal as -- the large cracks to me in this site are 9 much more concerning that -- that as large as the 10 cracks are and with -- with the amount of water and 11 in -- being in Tulsa where there's much greater 12 freeze/thaw cycle, that it's -- it -- that it's 13 cracking through to the bottom, and -- and it could 14 arguably be degradating (sic) the subgrade, which -- 15 you know, the base, the -- below the asphalt, which 16 is structurally the most important -- not the most, 17 but it's -- it -- it's very important to a paving 18 profile. 19 Q. Is it possible for those cracks to be 20 sealed in order to bring the property back up to a 21 good condition? 22 A. I -- I don't believe so. I think there was 23 probably a time and a point that -- had it been done 24 and handled when -- when the cracks were smaller, I 25 think that -- and, again, I'm not an expert and</p>	<p style="text-align: right;">Page 232</p> <p>1 maybe thinks it is, but I -- I -- I -- I don't 2 believe that to be the solution for this site. 3 Q. And it's your professional opinion that for 4 all three sites, milling of the current asphalt is 5 necessary before providing overlay of the asphalt or 6 repaving the asphalt? 7 A. Yes. Yeah. I mean, we've -- we've 8 resurfaced -- we -- we certainly deal with asphalt 9 properties and -- and -- and -- and go in and -- and 10 renovate -- or redo, rehab paving projects 11 specifically in the freight industry, and -- and to 12 me, all of these sites with the way the surfaces 13 are, I mean, are very indicative of something that a 14 customer would call and -- and -- and say that 15 it's -- it's -- it's got to be redone. 16 Q. You also noted that there were gaps in -- 17 in the fencing and damages to the fence at both the 18 Tulsa and McAllen sites. 19 Do you recall that? 20 A. Yes, ma'am. 21 Q. For both -- for both of those estimates, do 22 you know if those estimates are for full replacement 23 of the fencing or -- 24 A. No. 25 Q. -- constructing fencing in these areas?</p>
<p style="text-align: right;">Page 231</p> <p>1 maybe it's worth engaging one, but I think an expert 2 would tell you probably that based on the -- the 3 significant widths and -- and gaps that it's -- 4 it's -- that it's a problem, that -- that -- that 5 it's -- it's gone -- it's gone -- it's gone too far 6 at this point. 7 You know, it's -- it's -- I don't -- you 8 know, I -- I don't know how -- I -- I keep hearing 9 the term "patch," and I don't even know -- I -- I'm 10 not even sure what that is. It's -- you have to 11 understand that if -- if -- if this is cracking and 12 it's cracking through -- I know we're seeing it on 13 the surface visibly, and without going out and 14 coring the site and really doing a real solid 15 evaluation and seeing if that's actually -- and, 16 again, the surface is -- it -- it's just -- it's -- 17 it's bad. 18 It's -- it's -- but if it's working its 19 way even below that two-inch mill and overlay and 20 you determine that it's cracking all the way 21 through, I -- I don't know what the patch is. I 22 mean, it's not -- what -- what -- you can't -- 23 you're filling it with something that is going down 24 into the ground, and I -- I don't know that it -- I 25 don't -- I don't think it's as simple as everybody</p>	<p style="text-align: right;">Page 233</p> <p>1 A. The -- they are not, but I think we 2 determined that a lot -- a lot of the poles had to 3 be corrected. Again, it's not as simple as just 4 bending -- aluminum is -- I don't know how to 5 describe it, but you can -- when -- when it bends 6 over one way and you bend it back, you -- you -- you 7 start to degradate the -- the quality of the 8 aluminum pole. 9 So we felt like on -- on both sites that 10 there were -- specifically McAllen, I mean, a lot of 11 areas that needed to be -- replace the poles, and 12 when you do that, you have to take the fabric off, 13 the metal fabric, and then restring the fabric 14 and -- and pull it tight. 15 Q. I also wanted to ask you about the 16 contingency fee on the estimate summary. You've 17 mentioned a few times that it's likely that the 18 estimate summaries will be -- excuse me, the -- the 19 pricing for the estimates will -- will likely be 20 higher than what is current once you've done full 21 and thorough inspections, right? 22 A. Yes, ma'am. 23 Q. And that the contingency fee in the current 24 estimates is supposed to help gauge the potential of 25 unanticipated costs?</p>

<p style="text-align: right;">Page 234</p> <p>1 A. Yeah, I mean, unanticipated costs for 2 the -- again, it's just kind of a general plug for 3 that contingency, but it would be for the scope of 4 work that we identified in the proposal. 5 Q. But that's not a cap to the additional 6 potential costs that you find? 7 A. Correct. 8 Q. Is that what you're saying? 9 A. Correct. I mean, in -- in a perfect 10 world -- in a perfect world you would hope that -- 11 that you don't have any other unknowns with the 12 scope that you've already -- that we've already 13 described here and that any other new unknowns that 14 contingency would cover, but that's generally not 15 the case. 16 MS. LAMPLEY: If we can take down 17 Exhibit 2 from the screen. 18 BY MS. LAMPLEY: 19 Q. All right. And just a few more questions, 20 Mr. -- Mr. Erickson. 21 So first, could you explain Schwob's 22 process for determining pricing for new projects in 23 general? I know that's a -- a big question, but in 24 a general sense, how is -- how are pricing -- how is 25 pricing determined?</p>	<p style="text-align: right;">Page 236</p> <p>1 identifies all the scope and issue -- issue it out 2 for bids to various subcontractors to -- so -- and 3 I'm going to really simplify it. There's a lot of 4 tradespeople in this -- but, for example, to a dirt 5 contractor, to a fencing contractor, to a concrete 6 contractor, drywall contractors, painting 7 contractors, and electricians, plumbers. And, 8 again, I'm missing half the tradespeople there, but 9 I think you get the picture -- and issue those out 10 to bid and then go back and collect those bids. And 11 when those bids -- as those bids come back, those 12 proposals, then we evaluate -- take those proposals 13 and scope the proposals. 14 So, for example, you would think -- one 15 would think that when you send out a set of drawings 16 and you ask for some particular scope to price it, 17 everybody -- not everybody, but most everybody 18 generally prices something a little bit different. 19 And so that's the scoping process, to go through 20 and -- we take apples and oranges and try to make 21 them all apples or make them all oranges. 22 And so on a tab sheet they go through the 23 scoping process and get everything scoped out to 24 where it's apples to apples and do that for every 25 trade, and that allows us to develop a -- what we</p>
<p style="text-align: right;">Page 235</p> <p>1 A. Yeah. It's -- okay. I'm going to try to 2 summarize it as easily as I can. For a new 3 construction project, we're going to -- we will have 4 a set of completed design -- architectural, 5 engineering drawings, structural drawings; 6 mechanical, electrical, plumbing, you know, 7 engineered drawings, civil drawings; and take 8 those -- take that scope that's been developed and 9 issue that out to subcontractors. 10 EXHIBIT TECHNICIAN: Real -- real -- 11 MS. LAMPLEY: One second. 12 EXHIBIT TECHNICIAN: Real quick, 13 Counsel, you're -- you're ruffling papers a lot. I 14 know you're probably -- you know, it's -- it's 15 really cutting off the witness quite a bit. 16 MR. FALLON: Okay. Sorry, I'll -- 17 I'll ruffle papers more quietly. 18 A. I thought I was doing a good job of talking 19 over the ruffling papers, but -- not -- we can 20 scratch that. 21 Take -- take those design documents and 22 then send out an invitation to bid, an ITB. And so 23 what we'll do is we'll go out -- depending on which 24 market it is, whether it's the Dallas market, other 25 markets, go out and take -- take this drawing that</p>	<p style="text-align: right;">Page 237</p> <p>1 believe is a -- a fairly accurate number. 2 BY MS. LAMPLEY: 3 Q. Does Schwob conduct any market analysis -- 4 excuse me, let me rephrase that. 5 Earlier, you -- you testified that you 6 found your pricing to be reasonable and reflective 7 of -- of the market rate. 8 Do you remember that? 9 A. Yes, ma'am. 10 Q. Does Schwob conduct any market analysis 11 before finalizing an estimate? 12 A. No. I think our best market analysis -- 13 you or Brett -- I can't remember if -- somebody 14 asked me the question earlier about -- oh, it was 15 you -- about, you know, do we -- do we -- do we turn 16 in proposals for jobs that we don't get, and that's 17 probably our best market analysis is -- because 18 when -- when -- when you don't get them, you know, 19 you have to kind of figure out why, and so those are 20 conversations with those particular customers -- or 21 with those people that you're -- you're competing to 22 get their business, and -- and -- and that's 23 generally the feedback you get. It's -- it's -- 24 it's -- probably our best market analysis is to -- 25 for us to get an idea what's going on and what's --</p>

<p style="text-align: right;">Page 238</p> <p>1 what's the market's appetite for our services, 2 what -- what's our -- the market appetite for those 3 markups. 4 And so what we learn is, you know, were we 5 competitive, yes or no? And we're generally very 6 competitive, but -- okay. Well, what -- what line 7 items -- and when I say "line item," you know, what 8 scopes of work were we not competitive in? And -- 9 and it generally -- by the way, it doesn't generally 10 become -- it's not an issue that the markup was too 11 much. Excuse my French, but it's -- you know, 12 markup's kind of the pimple on the rhino's ass. I 13 mean, it's just -- it's not -- it's a very small -- 14 it's a very -- it doesn't -- it doesn't push the -- 15 the overall number significantly. It's -- it's 16 really the scope. And, you know, everybody's -- the 17 scope and -- and -- and the subcontractor pricing 18 that you get in. 19 And so -- and a lot of times, we get beat 20 on deals because our competition has gotten creative 21 with the scope, put together the wrong scope, and, 22 you know, that customer ultimately finds out that 23 because they didn't do a good job of scoping those 24 proposals in advance and makes a selection to pick 25 that -- that contractor and realizes later that, you</p>	<p style="text-align: right;">Page 240</p> <p>1 Q. Did you know that there is going to be a 2 hearing related to a dispute in this matter? 3 A. I'm not -- I'm not -- no, I'm not really 4 familiar with that process. 5 Q. So were you asked to attend a hearing 6 related to this matter? 7 A. No, ma'am. Why? Is there something I 8 should know? 9 Q. Did you -- that means you're -- if you -- 10 if they haven't told you anything, then that means 11 you -- 12 A. Is that why one of the first questions was 13 have I ever been to Wilmington, Delaware? I mean, 14 am I going to have to go to Wilmington, Delaware 15 now? Is -- is this where -- that moment? Not that 16 I'm opposed to it. 17 Q. I -- I -- I think counsel will have to -- 18 Brett will have to inform you of that if that's the 19 case -- 20 A. Okay. Yeah, I -- I -- 21 Q. -- but for now, no worries. 22 A. -- I -- I assumed there was something after 23 this when you get into depositions. I just don't 24 understand that entire process. 25 Q. Did you speak with anyone at Southeastern</p>
<p style="text-align: right;">Page 239</p> <p>1 know, that contractor was excluding a certain amount 2 of work that they -- that should have been included 3 in the project, and that turns into -- it could turn 4 into for that contractor either a big argument or 5 a -- a change order and -- I -- I don't know. 6 But -- but that -- that -- that's our best market -- 7 Q. Okay. 8 A. -- analysis, really, so. . . 9 I -- I do have some friends in the 10 industry and try to call and find out what they 11 typically see things go for, and, you know, 12 nobody -- nobody is really willing to share 13 anything. 14 Q. Thank you. 15 I'm going to turn to some more -- more so 16 administrative questions now. We're almost -- 17 nearing the end. 18 So how much are you being paid for your 19 work related to inspecting and reviewing the 20 estimates for the -- the three sites you testified 21 about today? 22 A. I believe it's \$1500 per facility. 23 Q. And are you being compensated for the time 24 spent testifying? 25 A. No.</p>	<p style="text-align: right;">Page 241</p> <p>1 about your deposition today? 2 A. No. 3 Q. Did you meet with any of Southeastern's 4 lawyers to prepare for your deposition today? 5 A. I spoke with Brett. 6 Q. Did you do anything to prepare? 7 A. Yeah, we -- we -- we went over some photos. 8 We discussed the projects. Mainly just kind of 9 going through photos and -- and talking -- talking 10 about each -- each various project. 11 Q. About how much time did you spend talking 12 with Brett? 13 A. A lot less time than this. I want to say 14 maybe a total of an hour, hour -- hour and a half. 15 Maybe -- maybe an hour, 20 minutes -- 16 Q. Did you do anything else to prepare? 17 A. No. 18 Q. Sorry, what did you say? 19 A. Oh, I -- I said 20 minutes of which 20 happened in an airport, and I think that the 21 balance -- the remaining 45 minutes -- when I was 22 stuck at an airport, and I think the remaining 40, 23 45 minutes were Monday. But, no, I -- I didn't, I 24 mean, other than -- before I came in, I -- I 25 refreshed myself with the proposals again. I -- in</p>

<p style="text-align: right;">Page 242</p> <p>1 fact, I -- I had this binder that was delivered to 2 me, and I didn't know there was a -- a FedEx box, 3 and I thought it was -- I didn't know what it was. 4 I never opened it. And then somebody told me I need 5 a binder, and I just assumed maybe it was in the 6 FedEx, so I opened it up and -- and looked through 7 it briefly. 8 Q. Well, you did a great job testifying today 9 given the limited time. 10 Last question before we take a momentary 11 break. If you were asked to attend the hearing, 12 would you be able to? 13 A. If I was asked -- 14 MR. FALLON: Object as to form. 15 Object as to form. 16 You can answer. 17 A. I -- I didn't -- I didn't -- I didn't 18 understand the question. Did you ask if I would be 19 willing to. . . 20 BY MS. LAMPLEY: 21 Q. Attend the hearing. 22 A. I'll -- yeah, I'll do whatever I need to 23 do. 24 MS. LAMPLEY: If we could go off the 25 record for a second.</p>	<p style="text-align: right;">Page 244</p> <p>1 the technician to move to SEFL 594. Again, this is 2 within Exhibit 5. 3 BY MR. FALLON: 4 Q. And then could you recall this picture? 5 A. Yeah, that's -- that's just a closer-up. 6 You can see the roof -- the hole up in the roof. 7 I -- I -- I believe that's the culprit, but -- there 8 may be more holes, but, yeah, it's just -- that -- 9 that's the area where the -- the Sheetrock got 10 saturated, and it came off the ceiling and -- 11 Q. Okay. 12 A. -- saturated the insulation. 13 Q. So is it your testimony you could actually 14 see the hole in the roof from standing in the 15 bathroom and looking up? 16 A. Yeah, it is. I can't remember if -- I -- I 17 believe that's the one. I -- for some reason, I 18 felt like there was some roof penetration up there 19 as well that had a leak or you could see daylight 20 through it, but I -- I may be thinking from another 21 project or something, but -- and maybe that's the 22 point of taking this picture, that -- but, yeah, I 23 mean, it was -- it was -- it's certainly a -- a -- 24 certainly a roof leak. 25 Q. Okay. And --</p>
<p style="text-align: right;">Page 243</p> <p>1 (Break taken, 3:28 p.m. to 3:33 p.m.) 2 MS. LAMPLEY: Thank you, Mr. Erickson. 3 We have no further questions. 4 FURTHER EXAMINATION 5 BY MR. FALLON: 6 Q. Okay. I just have a couple quick ones, so 7 we'll be pretty quick, but we're almost there. 8 MR. FALLON: All right. Let me ask 9 the court technician to turn to Exhibit 5, and in 10 particular, I'd ask him to page to SEFL 592 and 11 direct the witness's attention to SEFL 592 in 12 Exhibit 5. 13 BY MR. FALLON: 14 Q. All right. Okay. Mr. Erickson, the court 15 technician has put SEFL 592 from Exhibit 5 up on the 16 screen. 17 Do you recognize that picture? 18 A. Yes, sir. 19 Q. And what -- what was that picture again? 20 A. That was water damage from some leaks in 21 the roof that saturated the roof and basically, you 22 know, collapsed the Sheetrock off the ceiling. 23 Q. And that was at the McAllen property? 24 A. McAllen, yes. 25 MR. FALLON: Okay. And then I'd ask</p>	<p style="text-align: right;">Page 245</p> <p>1 MR. FALLON: That -- that's fine with 2 that exhibit. Let me ask the court technician to 3 turn to Exhibit 15. 4 BY MR. FALLON: 5 Q. Okay. Do you see Exhibit 15 that's up on 6 the screen? And I -- I realize that you probably 7 didn't see this before today or I don't think you've 8 seen it before today, but this is a property 9 condition report prepared for Yellow or at least it 10 purports to be prepared by AEI Consultants. 11 Do you see that on the front cover? 12 A. Yes, sir. 13 Q. Okay. 14 MR. FALLON: And then I'd ask the 15 technician to turn to page Yellow-Assumption 16 00019157. Okay. I don't know if there's any way to 17 get that a little closer. 18 BY MR. FALLON: 19 Q. I don't know if you can read that. Are you 20 able to read that, Mr. Erickson? 21 A. Yes, sir. 22 Q. Oh, okay. Do you see under 23 "Assessment/Recommendation" -- it's sort of at the 24 bottom third of the page. 25 A. Yes.</p>

Page 246

1 Q. Okay. And then the third paragraph down,
2 it says, "Although functional, the roof appeared to
3 be at the end of its useful life. Roof replacement
4 should be budgeted."
5 Do you see that?
6 A. Yes.
7 Q. And then do you see elsewhere under "Roof
8 construction," it -- it gives the condition as
9 "Fair"?
10 A. Yes.
11 Q. Does anything in there give you additional
12 confidence in your original conclusion that the roof
13 should be replaced?
14 A. I mean -- yeah, I mean, that's -- we -- I
15 don't -- I don't know that we anticipated -- you
16 know, we certainly don't show up on a -- a site
17 visit to -- to try to look to replace a roof, but --
18 and, again, the other two roofs were in -- in very
19 good shape, but, yeah, this one, I mean, to me
20 looked like it was definitely at the end of its --
21 its life cycle. But I -- I see people try to keep
22 roofs in play for a long time. It just becomes a --
23 a dangerous thing.
24 MR. FALLON: Okay. I don't have any
25 further questions. Are we done?

Page 247

1 MS. LAMPLEY: No questions here.
2 MR. FALLON: Okay. Off the record.
3 (Deposition concluded at 3:39 p.m.)
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 248

1 CHANGES AND SIGNATURE
2 ANDREW ERICKSON MARCH 28, 2024
3 Reason Codes: (1) to clarify the record; (2) to
4 conform to the facts; (3) to correct a transcription
5 error; (4) other (please explain).
6 PAGE LINE CHANGE REASON
7 _____
8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____
17 _____
18 _____
19 _____
20 _____
21 _____
22 _____
23 _____
24 _____
25 _____

Page 249

1 SIGNATURE
2
3 I, ANDREW ERICKSON, have read the
4 foregoing deposition, or have had it read to me, and
5 hereby affix my signature that same is true and
6 correct, except as noted above.
7
8 _____
9 ANDREW ERICKSON
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 250

1 IN THE UNITED STATES BANKRUPTCY COURT
2 FOR THE DISTRICT OF DELAWARE

3

4 IN RE: * Chapter 11
5 *
6 YELLOW CORPORATION, et al., * Case No. 23-11069 (CTG)
7 *
8 Debtors. * (Jointly Administered)
9 *
10 _____ * Re. D.I. 2642 & 2645


11 REPORTER'S CERTIFICATION
12 DEPOSITION OF ANDREW ERICKSON
13 MARCH 28, 2024

14 I, CHRISTY R. SIEVERT, CSR, RPR, in
15 and for the State of Texas, hereby certify to the
16 following:
17 That the witness, ANDREW ERICKSON, was
18 duly sworn by the officer and that the transcript of
19 the oral deposition is a true record of the
20 testimony given by the witness;
21 I further certify that the signature
22 of the deponent was requested by the deponent or a
23 party and is to be returned within 30 days from date
24 of receipt of the transcript. If returned, the
25 attached Changes and Signature Page contains any
 changes and the reasons therefor;
 I further certify that I am neither
 counsel for, related to, nor employed by any of the
 parties or attorneys in the action in which this

Page 252

1 _____
2 _____
3 April 2nd, 2024
4 RE: In Re: Yellow Corporation Et Al v.
5 3/28/2024, Andrew Erickson (#6619338)
6 The above-referenced transcript is available for
7 review.
8 Within the applicable timeframe, the witness should
9 read the testimony to verify its accuracy. If there are
10 any changes, the witness should note those with the
11 reason, on the attached Errata Sheet.
12 The witness should sign the Acknowledgment of
13 Deponent and Errata and return to the deposing attorney.
14 Copies should be sent to all counsel, and to Veritext at
15 cs-midatlantic@veritext.com.
16 Return completed errata within 30 days from
17 receipt of testimony.
18 If the witness fails to do so within the time
19 allotted, the transcript may be used as if signed.
20
21
22 Yours,
23 Veritext Legal Solutions
24
25

Page 251

1 proceeding was taken, and further that I am not
2 financially or otherwise interested in the outcome
3 of the action.
4 Subscribed and sworn to on this the
5 1st day of April, 2023.
6
7 
8
9 CHRISTY R. SIEVERT, CSR, RPR
10 Texas CSR 8172
11 Expiration Date: 4-30-2025
12
13
14
15
16
17
18
19
20
21
22
23
24
25

[& - 2]

Page 1

&	10,000 66:25	167:22 187:19	195:23
& 1:6 2:6,12,18 4:23 6:19,23 7:12 151:10,11 153:18 190:4 250:6	10,161 64:7 10,500 160:22 161:14 10,934.50 164:17 10,935 164:10 100 24:12 72:1 100,000 226:16 10036 2:19 10:42 97:21 10:55 97:21 10th 11:25 11 1:3 4:19 78:20 79:9 118:8 141:11 143:7 160:21 164:9 182:25 250:3	1350 1:22 6:11 14 4:23 147:21 147:22,25 148:2,6,12,16 149:2,24 150:7 150:22 153:19 158:2 161:17 164:14,15 165:6 140 4:11 141 4:13,14,16 4:17,19,20 1410 2:12 143,874 93:21 145 4:22 147 4:23 15 5:3 50:17,19 51:1 81:18 151:21 154:7,8 154:21 166:6 245:3,5 150 24:13 1500 239:22 1518 146:5 154 5:3 16 5:5 85:23 154:24 170:23 170:24 171:10 174:19 160 1:22 6:12 17 5:7 149:13 179:12,13,15 181:7 182:19 182:23 184:19	170 5:5 179 5:7 18 5:8 180:25 181:1,3,15 195:23 180 5:8 183 5:10 184 5:11 19 5:10 183:8,9 183:12 19,852 162:21 163:2 190 3:7 19275 5:4 19801 2:13 1993 8:20 1995 8:13,23 12:8 1996 8:25 1999 12:9 1:56 185:6 1st 251:5
0			2
00019124 5:4 154:4 00019139 154:21 00019157 245:16 00019275 154:5 0s 31:15,16 146:1	12 4:20 14:18 14:19,22 141:12,13 143:7 207:18 207:18 208:17 12,481 79:13 12558 251:7 1290 169:12 12:06 145:24 12:46 145:24 13 4:22 80:20 146:2,3,9,17,18 152:3 153:13 158:25 160:14 162:19 164:25 164:25 167:9		2 3:2 4:5 53:1 55:12,14,17 63:25 65:1,21 65:24 66:20 68:2 74:2 79:8 79:9 80:20 96:15,15 153:11 161:22 180:9 185:10 186:14 224:23 234:17 248:3
1	1 4:3 30:25 31:14,17 53:12 53:13 61:5 153:7 154:20 179:21 180:5 248:3 1,000 75:8 1,000,753.65 186:12 1,058,560 187:20 1,181,000 168:4 1.558 168:7 10 4:17 94:9 95:3,12,13,15 141:10 143:6 160:21		

[20 - 509]

Page 2

20 5:11 14:24 18:23 50:18 71:23 161:13 161:15,15 184:5,6,8,9,11 190:23 191:1 193:11 241:15 241:19 20,310 163:5 200 24:13 2000 18:24 2000s 18:24 19:11 2004 15:9 16:3 17:7 2007 16:3 17:8 17:9 18:15,25 19:6 2011 19:6 2014 18:3,4,15 22:5,8,22 2023 251:5 2024 1:11,18 26:13 53:18 54:23 55:11,17 98:9,10 169:17 169:18 248:2 250:8 252:3 21 161:15 212-872-8088 2:20 22 161:15 162:3,4 22,500 90:16 91:10	22,800 159:3 222 2:12 23 160:21 23-11069 1:4 6:8 250:4 24,000 80:22 243 3:6 248-249 3:8 249,600 160:14 25 71:23 250-251 3:9 2500 64:1 251,000 180:16 253,000 155:9 253,160 155:2 2642 1:6 250:6 2645 1:6 250:6 27 53:17 54:23 55:11,17 186:15 27,000 76:25 28 1:11 248:2 250:8 28th 1:18 29,650 77:22 2:08 185:6 2:16 189:25 2:17 189:25 2nd 252:3	3-4-21 4:3 3/28/2024 252:5 30 18:23 24:20 88:4 96:25 103:13 250:19 252:16 300 2:6 63:25 67:25 68:1 302-467-4200 2:13 31 4:3 312-862-2000 2:7 320,000 66:17 68:1 345 67:3 225:10 345,000 69:17 225:10 35,000 91:14 93:1 3500 97:25 360,000 165:8 165:17 369 165:10 369,082 165:2 375 153:14,25 375,000 153:14 155:8,25 3924 169:11 3:28 243:1 3:33 243:1	4
			4 4:8 63:22 97:3,4,6 248:5 4-30-2025 251:10 4-5 3:3 4/1/4 10:3 40 88:3 160:19 162:3 241:22 40,000 83:22 406,595 189:17 42 160:20 44 160:20 162:3 45 45:25 241:21,23 48 116:18 492,000 69:15
	3		5
			5 4:9 99:13,14 140:19 202:20 202:22 203:1 205:13 243:9 243:12,15 244:2 5,000 75:1 5,428 182:22 50 14:25 43:11 50,000 26:17 27:9 50/50 21:23 500 180:19 509 183:25 184:3,5,9

[51 - 616]

Page 3

51 80:7 510 5:12 183:25 184:5,9 511 147:20 148:12 151:11 512 148:13 151:11 513 148:15,16 161:17 514 149:2,12 164:14,16 515 149:10,12 149:15 516 149:15 517 4:24 147:20 149:10 149:15 518 146:1,16 158:25 162:19 52 74:24 528 99:12 529 99:16,17 103:4 53 45:17 530 103:14,14 531 105:22,23 107:4 532 105:23 107:4,11 533 107:17 109:4 534 107:17 109:4 535 107:17 109:4	536 109:9,10 540 109:16,17 109:25 541 110:3 542 110:18 111:22 543 110:20 111:22 544 111:25 112:2,2,15 545 111:25 112:2,3,15 547 112:18 548 112:19 55 4:5 19:1,4 558 113:8,21 559 113:8,25 114:1,4 560 113:8,25 114:2,4 561 113:8 114:8,8,10 115:9,12 567 115:17,19 117:5,22 568 117:25 118:1,21 119:8 569 118:1,1,21 119:8 570 118:1,2,21 119:8 571 121:2,3,18 572 121:2,4,18 573 119:14,15 119:23 120:6	574 120:6 121:3,4,18 575 121:3,4,18 576 119:14,15 119:23 120:6 120:12 577 119:14,19 119:23 579 121:21,22 122:16 580 121:21 122:15,16 581 122:20,21 122:23 123:13 582 123:16,17 124:8,12,15,16 125:2,3,12 583 123:17 124:12,15,16 124:17 125:1 125:12 584 123:16,17 124:9,11,16 125:12 585,000 86:1,4 586 125:18,18 587 126:5,24 127:15 588 126:5 127:18,18 128:10,11 590 127:24 128:25 591 129:12	591's 130:2 592 130:5 131:11 243:10 243:11,15 593 131:14,18 132:7 594 132:10,25 244:1 595 133:4 598 133:22 134:5 203:5 5:00 63:23 6 6 3:4 4:11 63:23 140:24 141:1 143:6 60 43:11 602 134:9,12 603 134:25 135:1 60654 2:7 608 135:25 136:1,2,9,16 609 136:1,19 137:12 610 136:1 137:15 138:2 205:8 611 138:6 612 138:14,15 614 139:2 615 139:15 616 139:17,23 139:25 140:4
---	---	--	---

[617 - able]

Page 4

617 140:4	728 174:24	843 30:23	878 49:12
618 140:5,7	729 174:24	31:15 32:21	879 50:3,5
619 140:8	73,306 61:22	34:10	88,948 153:8
621 140:17	152:6	843-883 53:12	880 52:2,2,20
622 140:17	730 174:24	844 32:21	881 52:14
623 4:10 99:13	731 175:4,4	845 32:21	882 52:14
140:17	176:7	34:10	883 4:4 30:24
6619338 252:5	735 176:7	846 34:17	31:16 52:15,25
679 140:25	737 176:13,14	847 34:18	8:00 1:18 6:3
682 141:7	176:14 177:23	35:15	8:50 31:11
683 141:8	738 177:5,5,23	848 36:2 37:20	8:54 31:11
688 141:9	739 178:6	849 36:3 37:20	9
692 141:10	742 178:11	44:10,12,17	9 4:16 75:16
694 141:11	743 178:6	85,000 84:5	141:9 143:6
6th 98:8 169:16	744 5:6 170:22	852 37:25 39:9	162:20
7	178:24	854 37:25	9,000 165:11,23
7 3:6 4:13	75 19:9,9,10	39:10	95 10:21,22
141:7,7,13	79 4:6	858 39:14 41:3	96 10:20
143:6	7:00 63:23	42:7	97 4:8 9:2
702 141:11	7th 26:9,11,12	859 39:14 41:1	98 9:2
710 180:24	26:12	41:4 42:7	99 4:9 10:22
716 5:9 180:24	8	861 42:17,17	9:30 54:17
181:19	8 4:14 74:1	43:2 52:25	9:42 54:17
717 183:7	75:11 141:8	862 45:5 46:3	a
718 5:10 183:7	143:6 146:5,13	46:15,18,22	a.m. 1:18 6:3
719 179:11	159:22,23	863 45:6 46:3	31:11,11 54:17
720 170:22	80 19:10	46:15,18,22	54:17 97:21,21
171:10,19	8172 251:9	864 47:4,5	abatement
723 171:19	82 124:23	865 47:21 50:3	77:17
725 172:7,9	825 97:2	50:5	ability 206:14
173:8 174:18	826 4:8 97:2	866 48:3	able 14:20
726 172:7	827 78:23 79:3	867 48:3,6,7	43:21 54:20
174:18	828 79:4 86:3	868 48:3 49:6	70:16 81:4
727 172:7,9	829 4:7 78:24	869 47:21 48:3	101:23 105:10
173:8 174:19	79:4 86:4	49:6	

[able - aged]

Page 5

122:13 123:2 155:18,18 226:2 242:12 245:20 above 1:17 57:6 63:20 84:15,18 166:21 249:6 252:6 absolutely 46:23 60:6 73:14 77:20 88:6 117:18 121:1 151:8 168:13 193:25 208:15 209:6 absorb 40:18 absorbing 96:11 absorbs 41:21 acceptable 130:1 access 199:6 accordance 62:12 account 94:1 accounted 183:17 accounting 17:22 21:14 accuracy 59:17 221:24 252:9 accurate 32:17 34:10 37:20 39:10 42:7	46:18 50:5 52:17,20 56:8 56:12,15,18 60:25 103:4,25 107:4 109:5,13 109:25 110:11 111:22 112:15 113:3 114:4 115:9 117:22 118:21 119:8 120:6 121:18 122:17 123:13 125:12 127:15 127:19 128:13 129:1 130:2 131:11 132:7 132:25 133:13 134:5 136:16 137:12 138:2 139:3 140:1,13 176:9 178:20 237:1 accurately 171:25 172:13 174:19 177:23 acknowledg... 252:12 acronyms 11:21 action 250:25 251:3 actual 91:17 129:25 215:22 215:23	actuality 224:2 actually 13:16 13:25 14:8 40:20 44:14 60:13 62:16 63:11 70:1 73:13 83:3 95:18 106:10 118:5 119:1 120:14 122:10 125:7 129:6 146:9 178:18 188:8 196:25 207:15,17 231:15 244:13 ada 74:17,19 219:14,16,24 add 68:2 87:19 108:11 212:23 219:22 220:16 added 17:18 84:5 142:9 adding 108:10 addition 78:10 142:8 152:10 158:9 additional 18:5 57:7,9 59:19 60:3 88:19 96:6 166:13 190:6 225:13 234:5 246:11 additions 191:4 191:4	address 32:12 59:11 addressed 211:19 adequately 155:10 adhesive 203:14,16 adjacent 104:10 administered 1:5 6:13 250:5 administration 9:7 administrative 239:16 admit 183:22 advance 238:24 aei 5:3 154:12 154:23 156:8 245:10 aerial 142:7 affected 107:25 affecting 214:19 affiliated 20:9 150:18 affix 249:5 afforded 19:13 afis 11:15 age 77:15 176:22 aged 207:7 208:2
---	---	--	---

[aggregate - appears]

Page 6

aggregate 101:16 102:24 102:25 108:20 109:23 139:20 172:24 ago 11:3 20:19 20:22 22:10,13 71:16 72:16 87:17 96:25 agree 156:16 agriculture 12:6 ah 131:20 ahead 7:4 32:5 35:11,12,17 36:5 69:2 111:6 119:13 119:18 125:16 136:7 147:20 154:3 166:8 180:23 183:6 213:20,23 aiken 7:12 air 11:25 30:4 41:18,24,24 47:9,10,13,16 57:1,3 84:14 84:23,25 85:8 85:8 116:25 129:21 135:2,4 135:5,7,10 airport 241:20 241:22 akin 2:18	akingump.com 2:20 al 1:4 6:7 250:4 252:4 alarm 91:14,15 91:16,17 92:1 92:5 93:2 alec 2:11 6:19 alec.weinberg 2:14 alligator 108:17,22 109:9,12,21 123:9 139:21 140:11 172:19 174:16 allotted 252:19 allowances 183:17 allowed 13:6 19:13,15 113:12 allows 236:25 alter 213:16,25 alternative 142:19 211:5 228:22 aluminum 233:4,8 america 2:19 american 137:17 amiri 2:5 6:22 190:3	amiri.lampley 2:8 amount 69:8,10 80:14 91:11 93:2 152:15,25 164:17 165:11 166:2 186:10 189:2 192:25 210:3,5,7 223:20 226:24 230:10 239:1 amounting 153:8 analysis 237:3 237:10,12,17 237:24 239:8 analyzed 75:23 anderson 146:18 147:21 147:24 andrea 2:5 6:23 andrea.shang 2:8 andrew 1:10,14 3:5 6:9 7:14 248:2 249:3,9 250:8,13 252:5 angle 45:25 129:7 announce 7:6,8 7:10 annual 34:4 answer 72:19 119:7 219:5 242:16	answering 201:23 202:2 answers 8:7 anticipated 246:15 anticipating 86:19 89:20 anybody 7:3 29:22 157:16 anyway 22:3 80:2 apac 67:9,12,18 71:9 225:6 227:3 228:16 apart 101:8 113:2 172:22 apiece 75:1 apologies 223:1 apparent 88:20 166:14 appear 23:13 33:7 185:17 186:1 198:5 appearance 7:7 7:9 appearances 3:2 appeared 26:25 80:25 81:25 84:13 144:3 185:13 211:21 246:2 appearing 2:2 appears 33:4 34:19 102:14
--	--	---	---

[appears - asphalt]

Page 7

141:25 148:17 176:23 220:20 220:21 appetite 238:1 238:2 apples 236:20 236:21,24,24 applicable 252:8 apply 152:10 167:15,18 219:17 appreciate 28:5 29:24 approach 13:11 223:19 approached 195:5 approved 74:20 217:20 approximately 10:19 168:4 225:10 approximation 14:21 april 251:5 252:3 apron 180:22 aprons 173:14 174:2,6 architect 215:10,14 216:13 217:14 217:17	architects 215:1 216:25 217:3,4,17 220:15 architectural 235:4 area 24:6,9 37:3 50:13 58:8 65:11 66:22 82:8 93:13 99:22 112:23 115:4 115:16 128:4 133:23 144:19 153:22,24 162:24 165:24 175:5 186:3 205:1 207:25 244:9 areas 25:12 33:9,12 34:2,2 34:23,24 39:19 43:4,4,4,24 66:7,23 67:2 75:21 76:6,14 77:4,6 78:3,4,7 78:14 80:1 81:1,24 82:4 84:13 90:1,8 100:2,3,6 103:17 104:7,9 104:12 106:1,6 106:12 107:22 108:17,21 122:14 126:9	126:11 127:9 128:20,22,23 129:5 133:8 134:19 136:11 136:22 137:19 142:2,24 144:10,14 145:8,14 151:17 158:7,8 158:9,11 159:8 163:9 164:5 175:13 180:12 200:9,13,23,23 202:10,13 204:10,10,11 205:2,3 208:14 216:20 218:14 218:22 232:25 233:11 arguably 47:3 138:21 219:21 230:14 argue 57:8 argument 239:4 arranged 215:17 arrive 95:13 asbestos 77:16 207:16 asked 8:5 24:25 25:11 40:13 70:22 86:8,11 196:4,5 215:20 215:21 227:9	237:14 240:5 242:11,13 asking 32:25 79:10 201:8 asks 196:12 asphalt 27:9 48:12,14 50:15 50:16,20,25 51:5,12,13,13 66:12,17 67:6 67:19,23,24 68:13 69:16 71:8,19 72:18 73:8 93:11 100:24,25 101:14,15,18 102:3,10 103:18 106:1,7 106:10,13,17 106:20,21 112:20 113:10 113:20 148:8 148:10 153:13 155:1,6,17,17 156:2,8 157:3 157:16,18,24 158:12 173:9 174:11 175:19 180:12,13,16 181:5,6 182:18 188:12 189:4 221:13 222:2 225:6 227:4,8 228:1,2,4,7,8 228:10 229:3
--	--	--	---

[asphalt - based]

Page 8

230:15 232:4,5 232:6,8 ass 238:12 assess 25:9,11 61:14 86:12 144:22 196:5,6 196:7 assessed 21:17 99:2,9 147:4 assessment 25:7 61:18 179:3 197:22 197:23 245:23 assessments 23:14 191:5 assigned 61:14 199:4 assist 60:16 147:9 assistant 10:15 11:7 associated 89:4 208:11 assume 89:1,4 90:9 160:17 assumed 73:19 160:5,23 240:22 242:5 assuming 157:8 216:20 assumption 5:4 81:22 82:3,24 84:8,12 154:4 154:5,20 245:15	attached 1:25 250:21 252:11 attend 8:24 240:5 242:11 242:21 attended 60:19 attention 42:15 169:11 177:4 178:23 185:9 211:11 243:11 attest 87:10 attic 84:16,17 85:9 attorney 252:13 attorneys 250:25 attributed 38:11 atypical 166:19 available 225:19 252:6 avenue 2:12 average 14:25 193:9 194:4 218:10 averaging 19:9 avoidable 142:12 143:4 avoided 102:12 aware 79:19 196:15 axle 45:20 axles 27:18 45:22	b b 4:1 5:1 67:18 116:11 back 17:5 18:13,24 21:17 21:17 22:10 27:17 37:2 44:10 54:6,12 56:22 57:1 66:9 74:13 77:10 81:5,6 82:20 86:22 88:7 89:17 91:3,23 92:3 102:23 104:7 108:8 111:16 117:13 124:15 124:16 128:2 139:25 144:7 149:18 152:2 152:19 153:23 157:23 158:24 158:25 162:18 163:1 164:14 164:24 167:8 179:19 183:24 184:18,19 185:9,10,10 194:21 204:4,7 204:9,12 211:6 228:9 230:20 233:6 236:10 236:11 backed 43:11 45:9 99:6	111:2 123:2,7 background 116:22 199:10 backing 111:11 112:8 bad 27:12 36:25 126:8,23 175:21 209:5 231:17 baffling 111:3 balance 241:21 ballast 44:25 126:22 137:22 137:22 bank 2:19 bankruptcy 1:1 250:1 barbed 105:8,9 110:8,10 114:14 barely 42:19 base 12:1 92:6 158:3,18,22 230:15 based 21:20,21 37:17 57:21 59:13 60:2 67:19 69:1,6 70:10 72:3 80:9 94:5 96:20,20 101:18 116:16 155:21 159:17 164:11 168:1 213:1,16 214:1
--	---	--	---

[based - bit]

Page 9

214:9 215:5 217:25 220:19 222:8 223:11 231:2 basic 143:2 216:21,21 basically 21:15 45:24 80:6 93:16 97:10 102:2 115:3,3 157:15 161:6 161:13 166:22 179:7,17 243:21 basis 14:15 23:18 34:4 144:24 148:25 159:5,25 162:22 163:6 182:7,18,22 bates 30:23 31:14 37:24 39:14 78:23 79:2 99:12 131:16 140:24 154:4,19 170:21 203:5 bathroom 40:14 85:6 131:22 132:5 132:23 133:1 244:15 batting 14:25 bear 11:3 96:5	bearings 120:1 beat 161:3 186:8 238:19 bed 78:9 203:17 bedding 78:6 78:13 beginning 8:11 196:20 behalf 7:12 190:5 belief 167:21 believe 8:25 9:2 18:25 19:5 22:13 26:8 42:19 53:18,19 56:9 57:9 60:25 72:15 85:13 93:5 96:16 97:24 100:8 107:15 110:20 112:24 117:11 122:11 124:9 129:22 132:16 150:6,9 152:6 153:4,6 153:6 162:19 166:1,10 170:14 173:15 178:4 183:16 184:21 186:22 188:23,23,25 195:22 198:9 200:17 203:4 215:20 219:8,9	220:7,10 222:13 225:5 226:21 227:18 228:14 229:9 230:22 232:2 237:1 239:22 244:7,17 believed 149:19 bend 117:13 233:6 bending 66:9 233:4 bends 233:5 beneath 49:5 benefit 106:8 226:17 bent 66:8 111:1 111:1 116:3 120:2 138:13 bernal 4:23 151:10,11 153:18 155:8 155:13,25 156:23 158:2 bernal's 153:20 best 141:24 142:24 154:22 206:9 214:9 237:12,17,24 239:6 bet 190:11 better 51:18 73:17 118:25 127:13 168:16 206:10 220:10	beyond 63:20 bid 69:10 70:1 85:20 158:3 164:11,16 220:22 221:7 222:12,14 223:4,8 225:13 225:17,21,22 235:22 236:10 bidder 225:24 biddle 2:12 6:19 bids 181:13 195:1 222:8 226:18 236:2 236:10,11,11 big 18:17 22:19 87:7 175:10 219:18 234:23 239:4 bigger 12:15 48:23 72:9 229:18,19 biggest 85:25 152:5 226:17 billion 21:9 bind 228:12 binder 101:7,9 101:10,12 242:1,5 binder's 102:22 bird's 113:16 123:3 bit 17:18 21:19 77:24 98:15
--	--	---	--

104:13 128:23 151:7 152:14 152:16,19 165:24 166:7,9 175:14 186:7 192:22 193:3 194:10,21 197:9,12 210:24 218:23 228:5,6 235:15 236:18 bits 160:18 block 104:10 blow 47:2 blows 212:1 board 126:18 134:1,1 boards 79:17 79:21,24 80:7 80:15 149:6 177:17 bollard 115:21 116:11,12,13 116:14,15,21 116:23 bollards 164:6 border 12:5 bottom 108:4 135:6,7 144:20 230:13 245:24 bought 22:10 22:13 box 97:12,14 242:2	boxes 33:17 brakes 230:2 brand 207:7 break 31:11 54:11,17,19 83:18 97:21 102:7 134:17 134:18 140:21 145:24 185:1,3 185:6 189:25 222:22 242:11 243:1 breakdown 74:6 breakout 159:16 160:6 218:9 breakout's 68:1 breaks 10:3 100:25 101:20 102:5 brett 2:11 6:18 237:13 240:18 241:5,12 brett.fallon 2:14 briefly 242:7 bring 54:3 56:10 60:9,13 75:13 88:6 96:18 117:5 118:18 167:23 179:19 183:2 184:22 186:10	189:2 211:6 216:12 221:14 221:21 224:22 225:23 230:20 bringing 17:13 broerman 60:18 98:19 147:11 148:18 170:4 197:16 216:1 broke 36:19 41:12 broken 41:8 66:14 85:10 111:13 153:20 brought 17:14 22:15,15,16 146:18 brush 43:7 bryant 2:18 budget 148:20 148:23 215:6 216:8 budgeted 246:4 build 12:17 21:6 29:9 building 1:21 6:11 12:16 20:6,17,17,20 20:23 21:17,25 22:12,16,23 23:1 25:18,18 27:22 28:1,11 28:12 29:3,9 33:4 34:25	35:25 36:16 38:5 41:17,19 47:7,19 65:11 65:20 78:1 80:24 81:8 82:2,6,15 84:12 86:24 87:12,14 88:4 88:7 122:7 123:5,7 130:11 130:16 138:12 138:22 139:8 142:6,21 147:5 152:17 153:22 163:11,16 164:1 165:10 165:13 166:17 166:20,23 170:18 171:12 173:2,14 174:8 176:17,22 177:2,8,11 188:5,6,13 189:14,15 190:19 196:6 196:24 197:1,6 199:4,7 212:4 212:8 building's 38:9 40:15 58:22 122:9 190:18 buildings 25:10 25:12 29:5,7 150:13 165:1 191:7,7
--	--	---	--

[built - certainly]

Page 11

built 41:15 42:1 151:20 193:4 bulb 121:11 bulk 180:8 bumped 105:20 bumpers 79:25 80:1 burden 96:5 burned 40:1 business 8:19 9:7 15:6,14 17:10,14,15,20 18:25 19:11 24:12 45:20 68:17 71:2,5 80:12 92:18 95:19 134:2 182:12,15 195:24 237:22 busted 36:18 busy 19:16 151:22 buy 161:8 162:13 buying 161:13	call 25:16 84:16 100:9 140:11 150:16 153:21,23 186:9 232:14 239:10 called 65:17 67:11,18 84:17 207:15 222:16 calling 116:13 camera 103:11 candidate 150:14 210:16 cannibalize 161:7 canopies 27:13 27:14 81:2,2 canopy 27:20 45:12,14 46:1 46:3,6,12,25 80:23 81:12 211:21 cantilevers 81:8,9 cap 234:5 care 33:8,20 40:25 41:7 53:5 83:17 126:3,4 131:23 144:3 187:9 188:9,14 189:14 careful 200:16 carpet 34:20 35:1,7,18 36:1	36:23 carriers 79:20 case 1:4 6:6,7,7 29:17 30:3 34:5 71:25 79:22 81:11 89:5 90:7 92:10 95:13 106:24 116:14 118:9 123:8 130:11 145:7 157:22 177:15 196:25 197:15 198:4,19 204:20 219:8 226:11,25 234:15 240:19 250:4 cases 23:9 37:16 95:18 118:11 casework 41:15 categories 159:23 caulk 51:11 caulking 66:24 66:24 67:1 180:21 cause 1:17 caused 46:5 49:5 caveat 150:10 ceiling 33:18 34:23,24 35:23 36:13,18 37:1	37:4,5,6,10,13 38:6,8,12,21,22 39:3,7 40:11 40:16,16,17 45:1,3 57:7 58:1,16,19 59:12 75:23,24 76:2,7,14,20,21 84:19,21 130:12,14,18 130:19 132:13 132:22 211:14 243:22 244:10 ceiling's 36:20 58:8 ceilings 37:3 214:18 cell 103:10,12 center 41:9 45:22 175:13 central 67:9,12 67:18 ceo 22:18 certain 24:25 29:9 34:2 68:9 74:16 111:18 116:17 118:13 123:3 137:9 144:10,13 210:3,5,6,19 218:21 219:15 228:1 239:1 certainly 87:4 88:21 142:23 187:9 192:16
c			
c 2:1 6:1 43:14 67:12 cabinets 41:25 42:3 cabling 90:16 calculating 65:4			

[certainly - closely]

Page 12

225:20 228:25 229:25 232:8 244:23,24 246:16 certainty 82:18 82:23 certification 3:9 250:7 certify 250:11 250:17,23 cetera 117:3,3 214:20 chain 114:21 116:1,15,16,19 117:20 chains 115:24 chair 39:23 40:2 77:8 128:7 206:3 chairs 33:16 39:22 77:7 128:8 206:4 chalk 134:1 chalky 163:23 challenging 197:10 218:23 chance 119:22 change 22:19 69:19 76:25 165:17 168:4 219:21,22 239:5 248:6 changed 19:11 22:8 87:14	changes 3:8 248:1 250:21 250:22 252:10 channel 43:9 43:13,13,14 123:20,21,24 124:3 125:5 177:9,10 189:8 channel's 125:7 channels 177:12,14 chaos 90:24 chapter 1:3 250:3 charge 93:20 charges 80:18 cheap 142:18 cheaper 151:7 151:7 152:19 156:10 check 97:11,16 197:15 chewing 157:18 chicago 2:7 chief 15:19 chipped 33:6 35:5 choice 163:23 choosing 221:9 chris 60:18,19 98:19 147:11 148:18 170:4 197:16 215:25 216:5 217:24	christy 1:19 6:4 250:10 251:9 chronically 169:3,6 circle 39:25 136:12 circles 137:3 circulated 53:17 circumstance 95:25 142:11 186:4 cities 87:20 city 12:15 217:19 civil 1:23 235:7 clarification 14:10 18:24 78:8 89:11 97:9,11 107:23 163:15 clarifications 4:8 5:10,11 183:13 184:12 clarified 96:23 clarify 20:5 163:19 193:6 225:23 248:3 clarifying 185:4 class 10:5 clean 64:8,11 67:1,22 68:3 127:12 128:17 128:22 142:16	142:24 145:16 176:25 208:4,9 208:9,9 cleaned 33:22 43:17 104:16 107:2,10 126:3 127:6 137:21 206:15 207:4,6 207:25 cleaning 42:12 64:6 131:25 cleanup 186:25 clear 59:24 clearly 88:25 223:1 clerical 61:19 client 13:24 93:21 190:19 198:13,17 213:1,7 214:1 214:3 client's 215:6 216:7 clients 191:12 191:22 192:10 193:19,19 climbing 105:17 clint 2:23 53:3 clips 46:1 close 19:24 21:23 42:20 73:23 184:25 closely 164:17
---	---	--	--

[closer - completely]

Page 13

closer 57:22 132:12 171:13 244:5 245:17 closest 186:5 closet 135:3,5,9 closing 44:1 160:4 coast 228:6 coat 102:1 139:9 142:23 142:25 204:8,9 204:12,25 205:3 coat's 102:2 coated 102:2 coating 142:17 209:14 code 74:16 87:14 92:14 129:18 135:18 codes 87:25 248:3 coil 75:4 coiling 74:25 74:25 75:3 171:17 186:7 coils 75:9 84:21 cold 67:21 collaborate 168:20 collaboration 215:9 collapsed 243:22	collect 236:10 college 8:13,20 8:21,23 9:25 10:1,7,9 color 215:16 column 64:20 64:23,24 65:3 81:7,9 97:17 116:22 columns 64:22 81:7 183:14 combination 21:4 101:16 109:21 153:24 161:13 162:8 172:17 174:15 192:3 combine 160:19 come 38:14 54:12 58:7 62:14 76:13 77:13 89:17 96:1 102:23 103:21,22 108:5,6 145:9 145:11 157:23 166:6 215:14 228:9 236:11 comes 45:24 89:16 96:10 226:14 coming 40:6,8 99:24 114:24 138:19 139:1	172:22 175:17 213:7 comment 155:14 178:9 commentary 126:25 commenting 197:18 comments 60:24 128:10 167:14,17 175:1 commercial 19:18 160:12 committee 2:16 7:6,13 53:21 common 46:11 62:24 68:16 95:8 144:21 150:2 commonly 90:4 commonplace 46:8 compact 158:3 158:22 companies 20:10,10,14,24 21:11,13 79:17 182:6 company 1:22 6:11 12:17 13:5 18:21 20:6,17,18,20 20:20,23 21:17 22:12,17,24	23:1 56:3 89:3 150:18 166:4 company's 21:21 compared 23:19 26:23 142:18 143:25 150:24 193:4 208:14 compares 155:7 compensated 239:23 competing 237:21 competition 238:20 competitive 80:12 181:13 192:9 195:1 225:17 226:8 238:5,6,8 competitively 216:14 complete 78:5 86:16 127:8 144:5 197:5 227:7 completed 235:4 252:16 completely 33:11,13 37:12 43:17 44:3 52:4 73:22 77:5,9 82:19
--	---	---	--

[completely - conservative]

Page 14

87:13,23 100:23 101:8 110:25,25 111:14 114:16 119:6 120:14 128:5 142:12 143:3 159:15 175:8 completion 193:14 complex 21:2 component 19:25 components 30:7 87:16 92:11 160:25 161:4 223:13 composition 127:11 207:12 compounds 101:17 compressors 85:2,2 compromised 122:9 209:20 concealed 57:10 concern 49:2 51:21 74:13 207:9,21 211:16,19 219:10 220:13 229:21 concerned 210:14	concerning 114:24 142:4 230:9 concerns 167:11 212:16 concluded 247:3 conclusion 246:12 concrete 36:22 50:17 51:5 66:18,20,23 67:2,24 68:4 100:7 103:19 123:25 125:8 173:11,13,14 173:16,21 174:4,6 177:15 177:16 178:14 180:15,16,21 228:4 230:1 236:5 concrete's 51:7 condensate 85:10 129:15 129:20 condensation 83:16 condensent 129:19 condensers 84:11 condensing 47:10,14,15,17 47:18 84:10	condition 5:3 25:8,9 46:14 46:16 47:19 56:11 60:10,14 75:14 81:16 93:4 117:6 118:19 125:10 132:4 137:18 140:20 141:18 143:24 144:2 144:23 154:12 154:24 158:20 167:25 171:8 172:1,4 173:8 173:20,22 174:9,10 176:16,19 177:21 179:20 183:3 184:23 187:25 188:14 200:12 202:11 202:15 211:6 230:6,21 245:9 246:8 conditioned 58:17 conditioning 30:4 47:9,11 47:13 57:1,3 84:25 116:25 129:21 135:4 conditions 61:6 64:17 96:19 112:16 152:13 153:8 162:16	172:14 174:20 176:10 177:24 179:22 186:11 187:13 221:16 221:23 conduct 237:3 237:10 conducting 196:20 197:25 198:13 199:8 199:23 200:25 201:13 218:20 conduit 89:16 90:1 conduit's 89:22 conduits 27:2,3 28:8 86:18 89:8,13,21 90:10 conference 34:19 confidence 246:12 configuration 45:20 conform 248:4 connect 37:8,19 connected 58:10 connecting 129:25 connection 78:21 152:7 conservative 94:6
---	--	---	--

[consider - correctly]

Page 15

consider 187:12 191:11 218:21	165:6 167:22 181:15	222:4 236:6,7	corporation 1:4 6:7,24
considered 197:25 203:19 206:7	contains 181:16 250:21	contracts 41:23 51:9 62:7	190:5 250:4 252:4
considering 63:12 191:8	contingency 93:7,8,9,17 94:15 167:10	contributed 36:13 46:10	correct 9:16 14:1 15:3,4,5
consistency 128:19	167:12 233:16 233:23 234:3	control 30:2 51:10,14 88:24 89:2	20:7,8,11 23:22,25 24:1
consistent 180:1	234:14	controlled 41:18 72:15	24:7 30:3 49:23 55:2
consistently 157:2	continue 76:3 104:17	controllers 22:2	59:15 60:1,15 61:3 68:15
consists 166:23	continued 5:1 48:20	conventional 21:5	69:18 85:22 90:6 93:21,22
consolidated 108:25	continues 108:11	conversation 115:6 161:12	94:2,4 115:12 124:11 149:25
constructing 232:25	continuing 102:7	conversations 237:20	164:18 180:10 184:16 187:20
construction 8:18,19 10:25 11:12 14:7 15:13,24 16:16 16:18 19:17 22:22 24:19,20 29:8 80:20 135:20 191:3 193:20 194:7 194:24 199:10 217:8,21 235:3 246:8	contract 42:4 contracting 51:15 contraction 51:18 contractor 9:23 19:12,12 21:2 68:6,17 70:3 93:7 98:21 100:15 148:8 151:5,18 167:10 236:5,5 236:6 238:25 239:1,4	convinced 172:25 cooled 35:3 cooling 30:1 copies 252:14 coppell 1:23 6:12 copper 28:21 28:21,23 copy 53:18,20 core 17:23 coring 72:20 231:14 corner 107:1 171:14 172:23 corp 11:14	190:20 199:21 200:24 203:1 203:15 204:16 204:17 205:14 209:1 218:1 220:1,25 221:1 225:15 227:15 229:5 234:7,9 248:4 249:6
consultants 245:10	contractors 21:8,9,10 150:3 151:16		corrected 55:22 57:4 70:1 233:3
contained 150:7 153:7			corrections 82:25 correctly 13:20 28:9 155:5

[correspondence - current]

Page 16

correspondeen... 4:3,9 5:5 corrode 163:24 corroded 142:9 167:5 209:12 209:17,23 corrosion 42:25 142:1,15 144:4,18 166:19 208:23 210:3,9 cost 56:10 60:8 60:13 61:11 65:25 73:13 75:20 77:19 86:5 88:19 92:19 96:7,11 96:16 147:7 148:25 152:22 160:20,22 161:14 166:14 168:4,6 179:3 182:8 208:11 213:5 214:22 220:18 223:9 223:19 224:8 227:1 costs 21:17 60:4 61:18 62:18 73:5 75:11 76:18 80:22 90:5 93:6 167:10 183:1 212:25 216:24 219:23	233:25 234:1,6 counsel 6:16 53:2,19,21 55:6 79:1 124:22 131:15 146:8 184:2 190:14 202:21 203:7 224:16 235:13 240:17 250:24 252:14 count 74:6 countertops 134:19 country 19:16 169:12 couple 9:1,11 11:21 39:25 114:12 172:18 185:4 192:4 243:6 couplings 82:7 course 10:16 11:6 24:11 61:20 62:15 71:2,5 76:12 83:18 102:23 103:23,24 106:17,19 112:23 113:1 125:5 134:2 137:4 182:12 195:24 212:5 223:15 227:25 court 1:1 8:6 30:22,24 31:13	32:20 39:13 55:10,16 78:22 78:24 99:11,11 146:1 170:21 179:11 202:19 243:9,14 245:2 250:1 cover 126:21 137:23 178:17 234:14 245:11 covered 23:6 23:11 53:13 covers 121:11 crack 109:2,2,3 180:17 cracked 36:19 49:11 89:22 175:12 180:17 cracking 47:24 47:24 48:8,9 48:17 49:8,15 49:15,17,20,25 66:13 71:17 72:4,4 108:18 108:23,25 109:1,10,12,21 123:8,9 138:23 139:21,22,22 140:10,11 172:17,19 174:16,16 175:6,7 229:2 229:10,12 230:13 231:11 231:12,20	cracks 47:25 48:14,18,22,22 49:1,8,16,22,25 51:21 72:6,7 72:12,17,25 73:7 117:14 176:2 180:18 228:18 229:14 229:18,18,23 229:24 230:8 230:10,19,24 cradle 13:11,23 crater's 108:2 crawling 58:18 create 101:17 created 135:12 creates 87:4 creating 107:2 creative 238:20 creditors 2:16 7:6,13 53:21 crisis 19:6,14 crushed 75:5 cs 252:15 csr 1:19 250:10 251:9,9 ctg 1:4 6:8 250:4 culprit 132:17 244:7 curb 113:13 curious 142:5 current 23:9 25:9 92:15 117:15 173:2
--	---	--	--

[current - degrading]

Page 17

232:4 233:20 233:23 currently 20:1 86:10 220:6 customer 213:18 214:23 227:1 232:14 238:22 customers 13:13 15:17 16:9 17:24 18:6,7,9,11 19:14 23:10 68:23 237:20 cut 66:5 89:25 90:9 93:14 107:10 108:7 135:8 158:10 213:21 cutting 38:25 235:15 cycle 230:12 246:21 cycles 48:24	86:13,23 89:16 99:3 104:17 112:23 130:19 134:23 137:4 160:9 196:7 205:2 211:20 243:20 damaged 27:14 27:20 29:21 37:5 38:6 45:14 58:21 75:4,21,23 76:6 77:3 78:14 89:22 111:13 112:6 112:20 113:15 117:2 118:11 118:15 120:4 133:19 158:13 160:3,9 161:3 165:13 179:1 197:8 201:23 206:2 219:3 223:11 damages 106:21 132:2 147:4 232:17 damp 130:8 danger 229:24 dangerous 229:25 246:23 dark 38:3 134:9 darker 39:20 100:3 197:12	data 90:15,19 90:23 91:4,8,9 database 151:16 date 250:19 251:10 dated 53:17 54:22 day 1:18 9:18 9:22 14:15,15 15:20,20 16:6 16:6 23:18,18 62:13,13 64:1 94:20,22 182:7 182:7 251:5 daylight 244:19 days 92:19 250:19 252:16 de 189:12 deal 29:22 37:11 46:11 62:13 63:8 75:23 82:19 87:7 101:21 108:13 115:25 156:12 217:12 230:8 232:8 dealerships 19:24 dealing 51:23 127:7 deals 238:20 debris 64:12,13 106:15 113:12 137:24 176:2	debtor 54:12 debtors 1:5 2:4 6:7,24 23:25 30:15 53:20 154:16 190:5 250:5 decent 27:13 177:2 decided 134:3 deciding 91:24 decisions 16:10 decorator 217:13 deeper 48:23 default 151:25 defect 201:1,4 201:6,16 defective 201:10 defined 95:20 defining 12:20 13:24 definitely 27:11 42:6 47:17 71:23 75:3 89:5 102:16 168:21 210:6 220:10 246:20 degrade 233:7 degraded 73:6 degrading 230:14
d			
d 2:11 3:1 6:1 67:18 116:11 d.i. 1:6 250:6 dallas 12:16 24:6,8 235:24 damage 25:8 27:7 46:2,7,9 46:12 49:4 57:6,9 58:14 80:23 81:9			

[degraded - different]

Page 18

degraded 158:13	deployed 193:1	99:18 100:18	detailed 218:8
degragated 100:23 117:17	deponent 6:9	105:24 110:4	details 80:6
degree 9:4,6	250:18,18	112:14,19	determine 23:15 151:2
45:25 84:4	252:13	114:10 121:5	201:9 215:2,2
207:4	deposed 7:20	126:6 185:18	231:20
delaminate 42:5	deposing 252:13	190:24 196:19	determined 149:19 150:12
delaminating 43:5 139:20	deposition 1:10	described 20:2	166:8 220:3
delamination 109:22	1:14 23:22	46:9 152:6	223:10,11
delaware 1:1	54:4 166:16	187:4 229:11	233:2 234:25
2:12,13 24:14	241:1,4 247:3	234:13	determining 215:11 234:22
24:16 240:13	249:4 250:8,15	describes 183:15	develop 13:13
240:14 250:1	depositions 240:23	describing 124:9	191:8 213:15
delivered 242:1	deprive 66:21	description 4:2	215:3 216:13
delta 165:7	deprived 65:10	5:2	221:11 236:25
demising 37:8	depth 72:3	descriptive 39:17	developed 224:9 235:8
125:20	155:15 156:18	design 12:17,18	developing 12:20 15:21
demoing 81:12	157:21 227:15	13:2 21:6	16:12 17:24
demolished 64:13	227:20	217:13 235:4	62:8,9 221:17
demonstrate 45:10	derived 153:17	235:21	development 15:13,15,25
department 15:19 195:20	describe 8:12	designed 50:17	16:16,19
219:13	32:23,25 36:7	50:18 51:7	difference 16:5
depending 41:25 47:14	37:25 39:15	desk 54:8	157:9 165:11
77:15 95:6	44:16 47:5	destini 65:17	201:3,12
235:23	49:9 52:2	destroyed 111:14 112:7	207:17
depict 174:20	55:18 61:10	118:16 120:3	differences 37:17
177:24	65:23 67:15	122:3	different 20:25
	74:2 75:19	destruction 88:14	55:5,7,8 88:1
	76:23 77:21	detail 26:16,20	151:17 152:8
	78:11 79:10	175:11 181:6	
	80:21 81:19		
	84:3,4 91:13		
	97:6 98:22		

157:3,3 162:8 185:22 197:4 208:1 211:9 214:6 215:14 217:12 226:9 236:18 differently 117:7 difficult 27:21 27:25 38:2 39:5 43:10,12 82:11 130:23 dilapidate 48:20 dilapidated 43:17 79:25 103:16 105:25 106:2 126:1 131:23 207:24 dinged 33:6 120:2 direct 42:15 168:3 196:17 227:6 243:11 direction 60:22 146:24 173:1 197:21 199:7 213:17,17 directly 21:8 dirt 89:12 137:24 236:4 dirty 33:5,8,8 34:22 35:23 36:25 40:10,12 133:7 136:10	disadvantage 226:3 228:5 disarray 33:18 35:24 36:20 40:12 121:10 126:10 131:22 disciplines 9:12 disclosure 44:7 discolored 34:21 disconnects 47:9 discounts 192:7 discover 73:3,5 91:4 93:12 discovered 86:8 discuss 168:20 190:17 discussed 77:25 147:6 189:9,10 241:8 displacing 157:19 dispute 240:2 dissimilar 37:16 distance 111:18 distinction 201:14 distinguish 201:1 district 1:1 250:1	division 61:5 65:21,24 74:1 75:11,16 78:20 79:9 80:20,21 81:18 85:23 150:16 153:7 153:11 159:22 159:23 162:20 164:9,25 179:21 180:5,9 182:25 dock 27:11 28:2 42:18,19 43:9,13,13 45:11,13 78:20 79:13,16,21,23 79:25 80:7,15 80:15 81:24 83:12 99:8 115:16 116:17 121:24 122:1 122:25 123:2 123:20,21,22 123:24 124:3 125:21,22,23 149:6,6 164:7 164:7,10,21 170:16,16 177:9,11,14,17 177:18 178:4 182:25 186:6 187:1,2 189:7 189:8 191:4 212:14	document 67:4 67:5 140:24 146:19,21 147:25 154:3 154:15 184:1 224:20 documents 30:23 31:2,14 39:14 71:4 78:23 99:12 170:21 181:15 235:21 dog 63:9 105:10 doing 9:22 13:25 16:6 18:15,23 19:10 19:18 42:12 45:3 80:4 86:10 88:18 116:20 144:25 180:19 202:2,4 208:6 215:22 216:1 218:21 231:14 235:18 dollar 21:9 64:23 65:5,13 72:24 152:25 192:25 219:15 dollars 23:12 65:4 137:10 door 23:4 42:20 43:11,19 43:20,23,25 44:3,5,6,13,20
--	---	---	--

[door - electrician]

Page 20

44:20 74:5,6,7 74:11,18,18,20 75:8,12 118:8 118:25 119:25 126:22 129:9 135:11,12 159:24 160:4,5 160:11 161:1,5 162:6 179:1,8 218:24 219:19 door's 42:19 doors 44:1,14 44:18,19 45:11 45:13 74:9,23 74:24,25 75:1 75:3,13 118:4 118:7,10 120:5 128:4 148:24 159:24 160:3,7 160:7,9,14,17 160:19,22,24 160:25 161:7,8 161:9,13,15 162:3,3,4,4,5,7 162:10,11,14 162:16 171:16 171:17 176:23 178:4 186:7 215:19 218:21 219:1,2,4,6 222:5 223:7,9 223:10,14,14 223:15,17,17 223:21,24 224:3,8,9	double 37:7 118:4 160:21 doubled 223:20 doubts 59:16 dowels 51:8 downside 225:22 dozen 11:8 14:17 79:19 dozens 11:4,5 drafting 216:5 drag 106:11 drain 85:10 129:15,20 drainage 106:25 drained 129:20 draw 178:23 drawing 235:25 drawings 217:19 235:5,5 235:7,7 236:15 dries 131:1 drinker 2:12 6:19 drive 1:22 6:12 99:25 138:18 138:24 driven 122:6,7 152:24 driver 111:11 drives 67:2 152:22,22	drone 144:21 dry 41:24 83:13,13 drywall 29:13 75:17,18 76:20 78:18 130:12 204:11 236:6 due 203:13 206:3 211:11 223:10 duly 1:16 7:15 250:14 dumpsters 64:12 152:15 152:18 dunham's 67:18 duration 61:13 95:15 152:21 152:21	early 8:20 17:19 18:24,24 19:11 51:22 easier 216:11 easily 235:2 east 228:6 economy's 194:19 education 8:12 effect 58:2 71:12 effective 182:8 223:19 effectually 135:9 efforts 94:23 eight 45:11,13 63:25 194:9 either 39:24 43:6 73:4 75:5 126:23 196:22 218:17 239:4 elected 220:11 electric 27:1 63:10 electrical 26:25 28:8,10 52:7 86:1 87:11,15 87:25 88:6,7 91:8 92:6 115:8 116:25 186:4 214:20 235:6 electrician 86:9 86:11,12 87:9
		e	
		e 2:1,1 3:1 4:1,3 4:9 5:1,5 6:1,1 32:11 100:19 148:17,18 199:20 200:1,5 222:17 earlier 11:4 57:24 73:2 75:25 103:9 132:13 190:4 198:8 203:8 205:25 208:20 220:13 225:5 229:2 237:5,14	

[electrician - estimate]

Page 21

89:16,17 222:3 electricians 236:7 electrified 105:13,16 element 203:18 elevations 157:11,24 ellis 2:6 6:23 189:22 190:4 embed 123:23 123:23 embedded 123:24 177:14 employed 250:24 employees 21:16 68:13 168:10 encasement 126:14 ended 210:11 ends 96:13 112:8 214:13 energized 28:13 36:16 40:15 58:22 engaging 231:1 engineer 216:13 engineered 235:7 engineering 235:5	engineers 11:15 216:25 217:4,5,18 220:15 enjoyable 23:17 entails 80:21 enterprises 9:24 10:9 12:12 entire 27:24 50:12,13 65:6 65:11 76:19 82:19 84:9 99:1,4 101:21 113:1 138:22 162:24 196:23 204:22 240:24 entirely 60:12 entitled 65:22 154:11 entity 220:22 entry 63:4,7 envelope 122:8 environment 194:22 environment's 211:17 equally 167:15 167:18 equipment 67:21 78:20,20 164:10,20,21 183:1 222:25 223:2,5	erect 21:2 erickson 1:10 1:14 3:5 6:9 7:14,19 20:10 20:15 21:11,16 30:25 31:14 32:12 52:25 53:12 54:1,19 55:12 78:25 79:8,8 86:2 88:9 97:3,6,23 98:3 99:13 140:19,24 141:6,7,8,9,10 141:11,12,15 143:6 146:2,5 146:17 147:25 148:1,4,16 149:2,23 150:7 150:21 152:3 153:12,19 154:6,10,20 158:2,24 160:13 161:16 162:18 164:14 164:15,24 165:6 167:9,22 170:22 171:10 174:19,25 179:12,15 180:24 181:3,7 182:19,23 183:8,12 184:5 184:8,9,11,19 185:8,10	187:19 190:3 203:7 205:17 208:19 225:2 234:20 243:2 243:14 245:20 248:2 249:3,9 250:8,13 252:5 erosion 169:2 errata 252:11 252:13,16 error 248:5 essence 92:5 essentially 22:17 57:20 165:20 estate 191:5 195:19,20 199:9 estimate 4:5,6 4:22,24 5:7 53:16,16 54:20 54:22 55:1,4 55:11,17,19,23 56:1,4,6,9,15 56:24,25 57:20 59:10,14 60:7 60:17 65:16 69:7,22,25 70:17 80:10 84:2 85:14,20 88:10,20 96:17 146:22 147:1,3 147:3,7,10 149:7 152:3 153:2,18 156:5
--	---	--	--

[estimate - exhibit]

Page 22

159:1,2,5 161:11 163:3 164:18 167:12 167:22,23 179:16,22 180:18 181:16 181:25 184:15 184:19,22 187:18,19,20 206:22 217:24 218:3 220:20 222:10 223:12 224:4,9 225:9 226:16 227:3,7 228:17 233:16 233:18 237:11 estimate's 23:10 57:4 estimated 10:25 14:6 75:7 168:6 estimates 11:5 11:5 13:14 15:18,18 18:9 18:10 22:25 23:2,4 68:21 68:22 70:24 95:2 181:23 182:10 193:18 195:1 204:16 213:1,8 215:22 215:23 216:1,6 216:8 218:20 219:25 220:5 232:21,22	233:19,24 239:20 estimating 10:13,15,18 12:19 13:24 15:21 17:16 22:21 65:17 212:25 213:5 214:21 estimations 14:20 estimator 10:14 15:20 60:18 197:16 estimators 23:5 60:19 147:13 147:15 et 1:4 6:7 117:3 117:3 214:20 250:4 252:4 etches 132:2 evaluate 221:22 236:12 evaluation 231:15 evening 29:1 event 48:19 101:23 169:7 211:24 212:7 events 72:11 209:24 everybody 53:22 54:5 66:16 80:17 140:22 156:10	156:11 226:4,5 226:12 231:25 236:17,17,17 everybody's 238:16 exact 109:19 159:16 exactly 159:7 160:7 examination 3:6,7 7:17 190:1 243:4 example 11:24 12:2 21:19,22 22:2 58:5 59:9 59:10,11 63:13 65:7 77:11 89:7 90:12 93:11 114:18 118:7 128:3 145:10 176:1 189:13 192:11 192:19 193:22 198:5 207:18 208:3 214:15 218:10 219:12 221:13 236:4 236:14 examples 202:7 202:18 exceed 219:15 exceeded 50:24 exceeds 116:17 except 249:6	exception 35:25 200:20 excessive 186:7 excessively 197:8 excluded 97:15 183:16 excluding 239:1 exclusion 97:13 exclusions 88:23 excuse 195:10 202:23 233:18 237:4 238:11 exercise 201:19 exercising 194:11 exhibit 2:23 4:3 4:5,6,8,9,11,13 4:14,16,17,19 4:20,22,23 5:3 5:5,7,8,10,11 30:25 31:14,17 32:8 53:1,2,12 53:13 55:12,13 55:14,17 65:1 74:2 78:25 79:1,5,8,8,9 80:20 86:3 88:9 96:15 97:3,4,6 99:13 99:14 124:22 131:15,20 140:19,24
--	--	---	--

[exhibit - fact]

Page 23

141:1,7,7,8,9 141:10,11,12 141:13,15,20 146:2,3,5,8,9 146:12,13,17 146:18 147:21 147:22,24,25 148:2,6,12,16 149:2,24 150:22 152:3 153:13,19 154:7,8,21 158:2,25 160:14 161:17 162:19 164:14 164:15,25 167:9,22 170:22,23,24 174:19 179:12 179:13,15 180:25 181:1,3 181:15 182:19 183:9 184:2,3 184:6 185:10 186:14 190:13 202:20,21,22 202:25 203:1,3 205:13 208:17 208:20 224:16 224:19,23,24 234:17 235:10 235:12 243:9 243:12,15 244:2 245:2,3 245:5	exhibits 3:3 143:6 existing 18:7,9 86:17 161:5 162:25 191:7 210:20 exit 42:18 163:10 expand 42:4 expanding 51:14 expands 41:23 51:9 expansion 51:7 51:8,10,17 66:19 expect 154:12 166:19 185:21 expectancy 215:12 expense 90:4 expensive 74:21 83:3 88:15 92:22 145:17 experience 16:19 24:19,21 60:2 71:19,20 90:6 94:5 198:4,4 expert 71:19 102:10 228:2 230:25 231:1 expiration 251:10	explain 20:13 86:4 112:2 159:25 160:15 194:16 214:14 234:21 248:5 explains 97:10 exponentially 168:23 exposed 51:2 exposure 51:19 101:20 expressed 59:16 extend 72:25 extended 193:2 extent 56:15 188:3 exterior 28:1 42:14 80:24 99:4 122:8,8 125:23 138:11 139:7,14 163:9 163:20,25 164:3,5 176:16 176:16,20 177:1 197:5 extremely 33:8 eye 113:16 123:3 eyes 168:16 197:17 f fabric 66:5 114:14 159:11 233:12,13,13	fabric's 111:1 facets 17:20 facilities 11:23 19:22,22 25:8 62:23 64:12 87:6 88:13 104:19 157:2 198:20,21,23 facility 58:20 63:11,14,20 65:6 74:15,23 87:22 98:15 99:1,9,24 114:25 118:5,6 138:19 139:1 143:17 151:19 151:20 160:2 160:20 162:7 162:13 164:22 169:24 170:15 171:14 174:20 179:19 185:17 185:20 188:25 198:25 199:3 200:10 201:20 206:21,24 211:25 218:17 239:22 facility's 118:4 fact 36:15 41:17 46:22 93:19 142:4 175:22 210:14 211:13 212:4 242:1
---	---	---	---

[facts - felt]

Page 24

facts 248:4	137:9,9 142:18	140:6,23 141:4	152:14,21
faded 33:12	163:23 169:25	141:6,14	155:7 188:5
faegre 2:12	173:15 174:5,9	145:22,25	202:3 215:21
6:19	177:2 214:13	146:4,6,10,14	216:22 231:5
faegredrinker...	224:12 237:1	146:15 147:19	fast 89:14 91:2
2:14,14	fairway 20:3	147:23 149:11	92:24
fail 95:24	fall 47:1,2	149:14 154:2,9	fastened 46:25
108:11	121:9,11,13	170:20,25	fasteners 142:3
failed 93:14	144:19 209:9	171:18,20	145:13,14
102:16,16	fallen 36:14	172:8,10	209:22 210:21
107:24	101:8	174:23 175:3	210:22
failing 73:22	falling 59:13	176:6,8 178:5	fastens 179:7
167:5 175:14	113:2	178:7 179:10	faucet 129:25
fails 252:18	fallon 2:11 3:6	179:14 180:23	fedex 188:19,23
failure 108:4	6:18,18 7:3,5	181:2 183:6,10	188:24,25
failures 100:5	7:18 30:22	183:22 184:4,7	189:1 242:2,6
fair 13:25	31:12,18,24	184:25 185:7	fee 233:16,23
16:15 17:5	32:20,22 34:8	189:19,24	feed 86:22
23:11 38:16	34:9 44:9,11	202:19 205:7,9	89:23,23
57:21 68:14,15	48:2,5 50:2	208:16,18	feedback
68:20 70:24	52:13,16,23	235:16 242:14	237:23
114:22 115:5	53:10,14,19,24	243:5,8,13,25	feeders 27:3
120:25 121:14	53:25 54:9,15	244:3 245:1,4	feel 58:9 80:2
150:4,22,23	54:18 55:10,15	245:14,18	feels 75:25 77:6
153:9 156:1	78:21 79:3,6	246:24 247:2	85:6
158:19 159:3	96:24 97:1,5	falls 120:22	fees 89:4
164:2 165:18	97:19,22 99:10	209:18,18	feet 65:5 105:7
167:22 180:5	99:15 100:10	familiar 151:19	106:12 109:2
246:9	119:17,19,21	198:19 240:4	111:19 118:8,8
fairly 16:11	122:22 123:10	family 22:11	180:19
21:23 47:25	124:14,19,25	fancier 15:14	feld 2:18 7:12
48:18 49:9,16	131:18,21	far 11:7 16:18	fell 36:19
85:24 105:4	132:3 134:11	27:13 45:22	felt 74:7 81:23
117:20 121:12	134:13 136:4,6	50:24 72:25	91:9 145:21
126:1 135:16	136:9,15 140:5	73:10 95:3,3,5	162:10 189:11

[felt - floor]

Page 25

210:15 211:23 233:9 244:18 fence 25:19 63:9,10 99:2 104:9,11,12,17 104:18 105:7 105:10,13,16 110:6,22,24,24 111:11,19,20 112:9 113:15 113:15,19,22 114:9,18,20 115:4 138:12 138:15 153:24 159:6,12 186:25 197:3 232:17 fences 104:25 159:2 fencing 27:7 66:2,4,11 110:20,21 186:25 232:17 232:23,25 236:5 field 14:13 61:9 61:17,20,20 62:4,15,15 63:21 152:5,23 179:25 fifth 168:23 figure 38:18 94:10 237:19 file 53:7 175:10	filled 112:22 filling 231:23 filter 137:8 final 64:8,11 65:16 187:18 187:18 193:20 220:1,2 finalizing 237:11 finally 69:9 finance 9:12 financial 19:6 19:14 financially 251:2 financials 17:21 find 37:7,7,11 58:2 67:13 68:9 88:18 90:4 93:19 117:11 151:23 166:13 182:7 221:20 222:22 234:6 239:10 finding 13:12 13:23 221:19 finds 238:22 fine 87:18 145:20 167:1,4 167:7 212:21 245:1 finish 96:1 157:24 213:21	finished 29:15 185:1 finishes 29:10 29:12,12 65:8 65:9,10 75:17 162:20 215:15 216:21,21 fire 29:20 58:21 58:23 81:22 82:2,6,23 83:5 91:14,15,16,16 91:17 92:1,1,5 92:16 93:2 212:7 fired 12:21 firm 85:18,20 94:22 firms 217:5 first 7:15 12:24 18:22 61:9 98:11 119:14 144:11 148:11 153:13,21 154:17 155:11 159:24 170:15 171:1,4,9 190:12,17 195:4 226:6 234:21 240:12 fit 44:5 fittings 82:7 five 20:21 66:3 185:3 fix 37:1 43:1 47:12 75:8	86:14 147:7 179:4 214:17 214:17 fixed 42:11 55:22 59:13 75:19 177:20 fixing 58:3 66:11 78:7 86:15 fixture 44:24 121:13 126:21 137:22 flag 137:17 flakes 76:16 flaking 176:24 flashing 81:14 179:5 flips 27:19 flood 93:25 floor 33:6,9,13 33:14,16,17,21 34:7 35:19,20 36:21,22 39:18 39:20 59:10 77:12 85:11 127:1,2,8 128:4,5,6,16 129:10 132:2 133:6,20 134:19,20,20 136:21 137:19 162:25 163:1,1 205:10 206:5 206:13,20 207:2,4,5,14,14
---	---	--	---

[floor - general]

Page 26

208:9 216:21 217:11 floor's 126:9 flooring 29:13 75:18 76:24 77:2,3 133:11 162:21 207:7 208:6 215:18 218:11,16,19 floorings 207:10 floors 42:11 126:8 131:22 133:6 206:1,2 206:10,23 207:2,14,22,22 207:23 208:13 214:17 flowing 106:24 focus 9:8,10 31:19 focused 189:3 211:12 follow 13:16 57:13 225:3 following 205:10 250:12 follows 7:16 foot 26:17 27:9 45:17 65:5,13 66:21,25 68:3 166:6 216:24 218:16 footage 65:20 66:24 159:9,16	162:24 218:12 218:15 force 11:25 foregoing 249:4 forgets 226:6 forklift 45:23 115:22 124:4 177:10 forklifts 75:6 117:3 forks 177:9 form 242:14,15 fort 12:1 forth 117:13 forward 45:22 189:22 found 70:7 151:23 168:24 181:12 202:14 237:6 four 10:21 11:6 11:9 14:4,17 15:9 20:18,21 22:10 168:16 fourth 168:22 fractured 140:12 frame 130:18 frames 74:5,8,8 74:20 75:12 159:24 160:7 160:10,11 161:9 166:24 219:3,7	framing 130:17 frankly 23:17 76:17 free 177:16,16 freeze 29:19,24 48:24 82:1 83:14,18 230:12 freezing 29:17 freight 1:16 2:10 6:20 19:22 23:21 25:1,25 79:17 86:9 98:18 118:5,6 143:21 170:5 182:6 195:11,22 232:11 french 238:11 friends 239:9 front 16:17 17:4,17 27:19 43:12 54:2 67:14 104:13 105:9,12,15 116:22 128:4 142:5 153:21 154:10 161:23 245:11 frozen 58:24 83:15 fruition 13:17 full 10:8 44:7 82:23 155:15 156:18 161:5	218:22,25 219:6 232:22 233:20 fully 172:25 function 153:1 162:23 192:17 192:18,23 functional 223:15 246:2 functions 16:7 fundamentally 20:25 further 59:2,4 189:19 194:16 210:24 220:13 243:3,4 246:25 250:17,23 251:1 future 41:16 fw 5:5
g			
g 6:1 100:19 101:4 game 135:4 gap 114:9 gaps 231:3 232:16 gate 138:13 gates 159:3 gauge 233:24 gear 27:18 general 9:23 21:8,9,10 29:4 40:13 61:5 64:16 68:6,16			

[general - going]

Page 27

95:10 98:23	gentleman	73:5,15 74:11	213:15,20,23
150:2 152:13	129:8 137:7	74:13,17 75:6	214:11,12
152:13 153:7	188:24	75:8 76:11	216:14 219:10
172:3 179:21	getting 16:12	77:19 78:15	219:16 221:12
186:25 193:12	28:4 38:12	79:23 85:18	222:22 226:14
197:22,23	70:1 72:7	86:12,22 87:19	227:1 232:9
206:22 211:8	73:24 87:8	88:22,22 89:24	235:23,25
234:2,23,24	91:7,8 163:23	90:9 91:20	236:10,19,22
generally 23:3	199:6 221:7,16	92:18 93:11,14	239:11 240:14
23:12 25:14	225:22 226:3	95:20,22 97:19	242:24
28:6 50:18,25	226:18	99:16 102:3	goal 92:23
59:7 70:7,25	girts 81:13	111:6 114:1	goals 216:7
73:3 78:8	166:24	115:15 119:13	218:5
80:17 95:16	give 10:24	119:17,18,19	goes 96:7 102:6
96:12 107:23	18:16,19 26:17	122:23 123:16	116:1,19 154:5
108:4,5 116:22	79:22 82:22	124:15,16	179:5 184:14
123:24 130:1	131:16 162:22	125:16 126:5	going 6:3 7:6
132:2 142:17	219:24 246:11	127:11 128:2	8:2,6 13:8 18:8
143:8 147:1	given 197:21	131:21 132:10	18:9,13,25
152:13 181:13	213:15 242:9	134:25 136:7	23:4 26:15
187:13 192:21	250:16	137:15 139:25	39:4 41:10
194:10 197:21	gives 102:6	140:5,16	43:22 45:16
200:22 214:8	246:8	142:15,22	54:10 56:21
214:15,25	giving 8:9	145:7,15,22	57:1,25 58:18
216:23,23	glass 41:9,12	147:20 149:12	61:12 62:21
217:7,14	glue 102:24	152:19 154:3	64:8,11 65:5,9
218:12 219:16	gluing 39:1	157:14 158:24	65:10 73:14,15
226:6 228:13	go 7:4,24 26:19	161:19 164:24	74:13,14 75:22
234:14 236:18	31:10 32:5	171:5 180:23	76:1 77:10,16
237:23 238:5,9	35:11,12,17	183:6,14,23	86:20 87:1,9
238:9	36:5,5 37:6	184:18 185:2,8	87:22 89:9,18
generation	41:4 44:4,9	194:7,13 196:5	91:18 92:7
18:6 22:11	58:23 64:10	202:1 204:9,11	97:23 99:10
generous 94:6	68:8 69:2	208:8,9 209:11	100:1,8 104:17
	72:20,21 73:5	209:13 213:15	106:25 109:24

[going - guess]

Page 28

115:15 154:3	173:19,21	grass 106:2,9	58:6 59:13
157:18 159:10	174:2,9 176:23	175:18,23,25	85:6 116:18
162:9 163:7	177:20 179:19	grave 13:11,23	117:1 137:3,23
169:9,20	183:2 184:23	gravel 100:6,7	231:24
170:20 172:19	186:11 188:9	101:6 108:17	group 21:7,12
172:22 175:6	188:14,14	113:1 230:1,3	21:13 22:25
184:17,18	189:13,14	230:5	67:18 149:18
190:6 192:25	197:25 202:10	gravel's 103:21	150:11
202:17 212:10	202:14 209:19	gravelly 101:2	groups 22:18
212:10,17	211:6,18 212:6	101:4	79:18 80:14
213:23 214:10	212:15 230:21	gray 33:12	grow 106:3,18
217:11 218:11	235:18 238:23	39:20	106:20 176:4
218:12 219:20	246:19	great 63:11	growing 106:3
220:16 225:2	goods 105:3	122:5 139:9	106:20 107:9
231:13,23	gotten 22:4	143:1 160:12	175:18
235:1,3 236:3	72:8 74:21	175:8 200:11	grown 19:1
237:25 239:15	155:8 229:18	202:4 210:1	grows 175:24
240:1,14 241:9	238:20	212:5,14 242:8	guard 63:9
good 6:2 13:4	gouged 133:7	greater 49:10	105:9
29:18,22 33:23	gouges 137:24	73:10 230:11	guess 10:21
38:2,15 42:12	government	green 106:6	21:14 26:24
46:15 54:10	11:17	grew 19:9	38:10,11,20
56:10 60:9,14	grab 54:8,11	grid 37:7,10	47:3 51:18
63:13 75:13	grabbing 90:25	39:3,7 75:24	56:20 70:15
76:8 81:16	91:6	76:14 130:14	73:9 82:16
93:3 96:18	grad 8:15	grids 37:5,5,13	85:25 86:7
105:19 111:10	grade 157:24	37:13 40:16	88:1 93:23
117:5,8 118:18	graduated 8:13	76:21	120:15 123:23
124:6 125:10	8:22 9:2 10:4	grimy 34:22	126:12 134:3
127:14 141:22	10:21	35:23 36:24	135:9 137:5
143:23 144:2	graduation	groceries 94:24	138:19 139:10
144:17,19	10:9	gross 18:18	140:10 144:15
158:18,20	grandfathered	19:2,4,5	145:7 148:14
162:16 164:22	87:24	ground 7:24	150:15 170:6
167:24 172:5		38:7 44:23	173:11 185:11

[guess - hire]

Page 29

191:19 193:15 201:4,6 212:10 228:24 guessing 28:19 40:1 44:20 66:5 77:12 86:25 91:5,21 112:8 115:8 116:20 120:23 121:12 124:6 130:20 guidance 199:8 199:12 214:1 215:6 218:4 gump 2:18 7:12 guys 52:5 66:15 100:15 228:6	handful 141:23 handicap 163:11 handled 51:22 230:24 handler 135:2 handlers 47:16 84:14 85:9 handles 74:11 74:19 handling 84:23 85:8 handrails 78:1 163:9 164:5 hang 167:13 hanging 39:1 42:20 44:25 46:25 74:10,11 116:16 119:1 120:2 121:8 133:8 211:23 happen 66:2 72:5 74:14 happened 241:20 happens 194:1 194:1 happy 85:18 190:9 hard 36:11 37:11 45:9 92:12 108:20 117:11 123:6 130:12 205:20 229:23	hardware 42:21 43:23,25 74:5,9,21 75:12 126:22 159:24 160:4,5 160:10 215:19 218:25 219:1 219:20 hauer 2:18 7:12 haul 67:21 157:19 hazard 14:21 46:22 120:24 121:14 209:4 210:10 hazards 211:11 hazy 136:12 head 82:6 120:22 heading 194:21 headquarters 11:25 heads 82:4,5,6 83:15 hear 34:16 174:3 heard 71:20 105:19 hearing 231:8 240:2,5 242:11 242:21 heat 30:1 41:18 heated 35:2 heater 52:9,9 52:11	heavy 21:3,3 27:17 height 116:17 116:18 heights 144:12 help 233:24 helpful 31:20 168:11,21,23 helping 13:13 23:15 191:6,8 helps 102:4 168:15 221:23 hereto 1:25 herndon 26:1 98:18 170:5 195:17,18,19 199:20 hey 37:20 91:4 91:20 214:4 hi 190:3 high 16:13 94:13 118:9 209:23 higher 69:9 83:23 95:18 192:22 193:3 194:10 233:20 highest 138:22 highly 80:11 highway 157:17 212:1,2 hinges 120:15 hire 95:21 96:1 156:8
h			
h 4:1 5:1 half 11:8,10 49:10 57:19,23 79:19 156:14 160:23 161:8,9 161:15 162:6 162:12,14 170:1 193:5 223:13,14,16 228:10,10 236:8 241:14 hammer 81:4 hand 44:22 52:7 123:21 128:5 129:9 183:15 184:14 184:14			

[hired - include]

Page 30

hired 9:25 10:6 historically 19:23 20:1 21:7 76:10 191:14 192:4,5 198:6 history 80:4 81:1 hit 47:2 63:14 63:15 75:5 111:20 115:22 117:18 122:3 124:5 177:9 230:2 hits 111:17 hitting 111:11 hold 83:19 117:19 177:17 190:13 hole 132:14 178:19 219:21 244:6,14 holes 126:19 133:9 244:8 holl 148:18 honest 94:22 honestly 155:14 hope 22:3 40:6 105:20 234:10 horizontal 105:12 204:14 horrible 75:2 hot 101:15	hour 11:3 57:21 170:1,1 241:14,14,14 241:15 hours 57:17 63:20,22,25 98:15 house 29:23 150:11,15 210:12 217:1,5 220:9 hr 21:15 22:2 huh 58:11 92:9 96:14 97:18 102:13 110:7 132:18 135:14 human 21:14 humidity 29:18 30:1 40:19 41:21 hurt 47:3 hvac 83:25 84:1 88:25 89:2 129:16 hybrid 21:3	identifies 236:1 identify 42:17 115:19 118:3 132:11 133:22 134:8 136:1 141:17,20 146:19 148:1 149:3 168:15 178:24 183:11 183:25 202:9 216:18 identifying 148:11 illinois 2:7 image 205:10 206:6 images 206:1 imagine 28:25 46:4 immediate 211:11,19 212:16 imminent 229:24 impact 124:5 implementing 62:17 import 45:7 importance 73:24 important 104:18 117:21 151:1 158:4 230:16,17	impossible 27:25 impression 185:12 187:25 impressions 186:18 improved 179:19 improvements 186:2 214:7 inaccuracy 59:21 inaccurate 59:18,25,25 inbound 99:23 138:19,20 incapable 28:13 inch 49:10 66:12 67:21,22 73:19 148:9,10 155:16 156:13 156:14,14,23 156:25 157:4 157:21 174:13 174:14 180:13 207:18,19 227:20 228:10 228:12 231:19 inches 116:18 155:17 157:15 157:22 227:15 228:15 include 64:11 78:5 81:11
	i ibc 87:25 92:15 ice 129:24 133:17 idea 144:17 214:11 237:25 ideas 215:15 identified 234:4		

[include - introduce]

Page 31

157:10 163:15 included 59:14 77:17 90:5 91:13 93:10 97:17 139:11 200:1 216:17 219:23 239:2 includes 61:10 76:20 78:9 85:1 inclusion 97:12 97:15,16 inclusions 183:15 inclusive 93:9 216:16 219:7 incomplete 204:1,2 incorporated 67:25 increase 73:13 166:14 193:16 221:24 increases 193:13 indicate 8:5 55:4 79:12 indicating 59:17 indicative 35:24 39:22 40:7,22 43:9 45:15 46:8 63:13 72:1 73:21 85:4	100:5 106:25 107:24 109:12 112:21,22 133:5,11 137:25 139:19 173:4 175:8 178:3 194:14 201:21 232:13 indirect 93:6 167:9 individual 22:14 195:13 individually 53:8 indoor 163:18 industrial 19:18,20 industry 24:21 71:21 95:8 194:15 232:11 239:10 inform 240:18 information 56:14 68:17,21 150:3,7 156:15 224:7,10 initial 69:25 144:24 inoperable 126:23 inquire 213:7 inquiries 214:22 216:6 ins 87:10	inside 25:17 33:4 75:6 84:12 99:9 122:4 163:13 164:6 170:14 185:18 188:6 197:11 insignificant 74:9 161:2 228:12 inspect 196:24 197:4 inspected 50:9 150:13 196:18 inspecting 197:6 239:19 inspection 25:14 28:1 170:7,12 196:13 197:5 199:8 211:2 inspections 195:5 196:17 196:20 197:20 198:1,10,14 199:24 200:25 201:13 211:9 222:9,9 233:21 install 44:6 installation 148:24 164:21 installed 87:16 117:10 instance 1:15 217:24	instructed 76:13 instruction 199:12 insulation 132:21 244:12 insurance 17:22 intake 135:10 intended 56:9 147:2 intending 7:9 intensive 60:5 intent 21:24 63:8 116:23 138:10 151:23 intentions 218:7 interest 194:20 interested 251:2 interesting 19:7 interior 78:4 125:17 163:8 164:1 217:12 internally 222:11 224:10 international 87:14 internship 10:2 10:6 introduce 6:16 7:2
---	--	---	---

[investigate - kirkland]

Page 32

investigate 123:6	207:1,8 209:10 235:9 236:1,1	jeffrey 2:17 jlatov 2:20	k
investigation 57:8 59:2,5 210:24 220:14	236:9 238:10 issues 27:10,11 45:19 59:11	job 15:2 16:16 29:1 95:5 141:22 175:9 193:2 202:2 235:18 238:23 242:8	keep 71:4 108:9 111:10 178:10 182:14,14 217:4 231:8 246:21
investigator 41:11	166:20 177:1 197:18 206:24	jobs 68:8,10 237:16	keeping 102:1 keeps 102:7 111:17
invitation 235:22	216:18 it'd 21:22 it'll 54:7	jobsite 62:14 jogs 212:20 johnson 222:24 223:2,5	kevin 2:17 7:11 kicks 65:19 kill 47:3 kind 10:14 13:10 20:3 21:13 35:4 37:11 43:8 52:6 99:4 105:11 108:24 114:20 123:4 126:17 133:10 134:9,22 136:11 145:7 145:19 150:11 151:15,25 161:11 171:15 173:4 211:1,23 215:2 220:15 228:13 229:11 234:2 237:19 238:12 241:8
involve 47:15	itb 235:22 item 61:9 76:20 83:25 84:1,1 85:25 95:1 152:5 153:13 160:13 165:1 238:7	joined 12:16,16 12:24 18:22 joint 12:1 180:20 jointly 1:5 250:5	kinds 215:17 kirkland 2:6 6:23 189:22 190:4
involved 11:4,6 11:9,14,16,24 12:3,4,18 13:1 13:7,12 15:17 15:20 16:9 17:25 18:6 22:24 214:21 215:1,21 217:14,18	items 23:11 55:20 61:2 62:22,24 64:16 74:3,4 75:17 81:19 85:25 88:19 93:8,9 116:24 117:4 166:16 200:9 201:14 202:9 202:13 218:22 238:7	joints 51:7,8,10 51:10,14 66:19 66:20 67:1 68:4 71:17 72:22,23 jquip 222:14 222:17 jump 184:17 jumped 161:11 justification 74:3 75:20 90:17 justified 76:25 77:22,23	
involvement 22:21 196:16	j		
irregular 49:21	j 10:3 222:17 jamb 43:23 january 10:5 je 222:17,17 jeff 7:11		
issue 24:24 34:5,22 38:21 40:14 41:14 45:8 48:18,23 50:24 58:16 69:24 71:16 72:5 73:18 74:12 76:17 87:7,19 120:23 124:2,7 126:2 129:18 130:20 132:17 167:2 168:18,19			

[kirkland.com - know]

Page 33

kirkland.com	45:25,25 46:10	86:19,20,22,23	120:3 121:11
2:8,8	46:23 47:1,14	87:1,11,18,20	122:25 123:8
knew 151:24	47:15 48:17	87:22,23 88:3	124:4,5 126:10
knock 177:10	49:2,3,4,7,11	88:23,24 89:3	126:12,13,21
knocked 52:4	49:13 50:10,23	89:15,15,19	126:22 127:4,5
85:11 116:3,7	50:24 51:2,3,4	90:2,13,21,23	127:6,11
177:15,16	51:5,7,12,19,21	91:4,19,20	128:21 129:12
know 13:8,9,12	51:23 52:5	92:14,15,16	129:12,24
14:11,17 16:10	54:5 56:14,19	93:11 94:14	130:18,24,25
17:21,22,24	56:23 57:3,6	95:15 96:4,5,9	131:3,5,7,9,24
18:7,17,18,25	57:10,11,25	96:10,12,20	133:19 134:4,8
19:1,6 21:5,9	58:7,9,12,13,15	97:17 98:25	134:15,16,17
21:22 22:1	58:16,17,21,23	99:3,7,8,21,25	134:22 135:3
23:7,8,9,15	58:24 59:1	100:4,7,14,15	135:15,15
24:13 25:8,17	62:5,8,8,10,12	100:24 101:2	136:5 137:6,10
25:19 26:17,17	63:8,19,22,22	101:13,14,15	137:18,23
27:9,21 28:17	63:23,24,24,25	101:16,17,18	138:21,24,25
28:19,22 29:7	64:1,12 65:8	101:22,24	141:2,23 142:1
29:8,11,13,17	66:8,8,10,25	102:4,5,7,9	142:4,5,13,14
29:19,21 31:19	70:13,19 71:18	103:21 104:15	143:1 144:1,4
33:15,15 34:19	71:22 72:5,9	105:21 106:1,5	144:5,14 145:6
35:3,4,5,5,20	72:10,11,12,13	106:15,17,18	145:16 147:6
35:20,22,24,25	72:22,24 73:1	107:12,23	149:15 150:16
36:4,9,10,12,12	73:2,2,3,6,9,11	108:4,9,18,18	152:15,17,17
36:16,17,18,20	73:18 74:12,18	108:21,22	155:14,16
36:22,24 37:13	74:23 75:1,3,5	109:1,2 110:9	156:4,13 157:7
38:4,5,7,13	75:7,9 76:1,10	111:3,8,9,12,14	159:8 161:3,5
39:1,16,16,25	76:12,16 77:3	111:18 112:7	161:12 166:3
40:3,5,5,7,8,10	77:6,8,11,11,11	112:11,25	166:20,22,25
40:16,17,24	78:6,7,8,16,17	113:11,13	168:16,17,22
41:6,10,11,16	79:18 80:5,6,6	114:15,18,24	169:7 172:21
41:17,22,23,24	80:7 81:25	115:1,23 116:1	172:23 173:1,3
42:1,4,4,5,21	82:3,5,13,14,16	117:2,9,9,11,12	175:7,9,22,23
42:24 43:6,10	83:19 84:18,22	117:17 118:8,9	176:1,3,25
43:20,21 44:24	85:11 86:9,17	118:10,14	186:5,24

188:12 189:10 189:14 190:9 191:6 192:19 192:21 193:1,3 193:4 194:4,9 194:18 196:21 197:2,7,8,14,17 197:18 201:23 205:4,19 206:19 207:6 207:18,21,21 208:2,7 209:9 209:15,20,21 209:23 210:11 210:15,16,17 210:18,23 211:17,18,20 211:21,24 212:4,6,11 213:18 214:4,6 214:8,9,10,15 214:20 215:3,3 215:10,17,22 216:20,22,23 217:6,9,9,16,17 219:2,7,17,18 219:19 221:15 221:19 225:25 226:8,15,21,24 227:10,17 230:4,15 231:7 231:8,8,9,12,21 231:24 232:22 233:4 234:23 235:6,14,14	237:15,18 238:4,7,11,16 238:22 239:1,5 239:11 240:1,8 242:2,3 243:22 245:16,19 246:15,16 knowing 74:14 known 195:23 I I 100:19 116:11 116:11 179:5 lab 12:7 labor 67:20 92:19 148:24 lack 34:25 51:18 113:11 186:23 lakeshore 1:22 6:11 lampley 2:5 3:7 6:22,22 53:23 54:14 189:21 190:2,3,16 202:23 203:2,4 203:6 224:17 224:21 225:1 234:16,18 235:11 237:2 242:20,24 243:2 247:1 land 191:6 landing 27:18 lands 120:22 212:2	landscaping 106:6 113:11 lane 99:25 138:22 large 21:8 47:25 85:24 176:2 191:25 208:13 230:8,9 larger 105:11 191:12,16,18 191:20,22,24 192:5,10,12,15 lasalle 2:6 latest 54:20 latov 2:17 7:11 lawyers 241:4 lay 89:12 157:23 layer 33:14 102:4,6 128:6 128:21 157:21 172:22 layers 49:2 laying 38:7 52:4 58:6 85:5 137:23 lead 214:8 leak 40:7 130:7 244:19,24 leak's 131:1 leaked 36:17 leaking 130:10 211:14 leaks 58:25 81:23 130:24	133:19 243:20 leaning 52:6 115:23 117:12 learn 59:7 238:4 learning 17:20 leave 208:4 leaving 208:2,2 210:20 led 186:21 left 29:15 40:4 44:22 52:6,7 97:10 110:24 123:20,21 128:4 129:9 161:7 183:15 189:11 legal 252:23 lend 151:1 lends 71:24 211:1 220:14 lens 121:11 126:21 137:23 lesser 155:22 letting 113:12 level 16:13 77:17 116:2 128:19 204:14 228:1 levelers 80:15 123:22 149:6 177:18 189:7 licensing 219:13
--	---	---	---

life 50:15,17,19 50:21 51:1 215:12 246:3 246:21 lift 228:13 light 19:23 33:12 39:19 44:24 52:3 114:25 126:21 137:22 lighting 27:2 121:8 lighting's 121:8 lights 197:11 likelihood 154:17 likely 38:21 58:12 60:15 74:17 84:20 90:8 92:13 128:7 132:16 151:6 163:23 204:8 206:2,15 219:17 220:4 220:16 233:17 233:19 limited 20:18 56:13 80:13 211:1 242:9 line 23:7 25:19 49:25 81:7 99:2 104:9,11 110:23,24 113:19,22 184:3 197:3	229:2,10 238:6 238:7 248:6 linear 66:21,23 66:25 68:3 159:9 180:19 lines 1:16 2:10 6:20 23:21 25:1 86:9 98:18 110:6 143:21 187:1 195:12 link 114:21 lion's 17:14 list 215:4 listed 74:3 93:18,20 155:10 180:6 lists 155:2 162:21 little 17:18 18:13 21:19 26:19 65:6 98:15 104:13 108:20 111:3 127:12 128:22 151:7 152:14 152:19 164:7 165:24 166:7,9 175:14 192:22 193:3 194:10 194:13,21 197:9,12 210:24 218:23 228:5,6 236:18 245:17	llc 1:22 4:6 6:11,21 20:6 20:23,23 25:1 llp 2:6,12,18 6:20,23 load 45:21,23 loaded 27:17 27:17 91:3,23 loading 78:20 79:13 115:16 164:10 182:25 local 19:12 70:3 150:17 151:7 156:6 166:7 220:11 localized 218:13 locally 151:5 located 6:11 43:14 169:11 211:25 location 44:21 81:3 133:16 locations 45:14 66:4,6 122:9 123:3 177:8,25 locker 136:20 long 11:2 14:2 57:15 72:16 87:17 98:13 130:24,25 169:19,22 179:23 190:22 213:2 216:7 218:5 246:22	longer 47:11 87:24 92:20,21 92:21 longevity 124:3 longitudinal 47:24 48:9,17 49:15,24,24 175:7 229:12 229:15 look 23:5 26:10 30:21 33:12 34:17 36:9 37:16,24 47:21 49:6,12 52:1 61:4 65:8 73:16 79:7 86:2 87:20,22 88:10 96:15,21 97:10 99:4 103:14 105:23 107:17 109:8 110:3,14,22,24 111:12 112:12 112:18 113:7 114:8 116:21 117:25 119:14 119:22 121:2,9 121:21 125:16 126:20,24 127:12,13 128:3,25 129:11 130:5,9 133:21,25 136:1,11 139:9 139:12 140:19
--	---	--	--

[look - mail]

Page 36

149:1 152:20 168:18 171:21 183:14 197:21 198:3 202:17 206:15 207:5 208:1,10 214:3 246:17 looked 35:7 79:23 80:16 90:18 92:22 98:24 133:16 133:18 137:6 144:5 145:8 159:9 160:16 166:25 167:1 173:15,19 174:2,5,9 178:17 179:18 218:24 242:6 246:20 looking 12:13 24:18 33:3 35:14 37:12 41:4 42:21 44:12,25 45:12 47:22 56:22 64:4,19 69:14 73:10 84:24 99:21,22,25 113:21 120:12 122:24 123:20 125:1,2,3,18,22 127:7 132:13 132:19,22 135:2 143:5	146:16 151:9 157:8 158:1 186:14 187:17 191:6,7 197:17 199:12,13 206:10 210:13 213:2 214:5,5 215:13 221:15 244:15 looks 24:19 39:5 44:14 52:8 100:7 103:17 149:11 180:8 197:7 199:19 209:19 loose 102:24 103:22 108:20 177:10 230:1 lose 103:22 108:16 194:25 223:16 lost 29:23 lot 11:13,17 17:16 19:20,21 26:16,16 37:16 41:14 43:24 47:24 49:14,14 49:15 50:11 55:20 56:20 62:21 73:20 74:7,8,10 75:1 79:17,25 80:4 87:12 95:18 96:4 99:5,6 100:1 108:8,25	109:24 111:7 112:11 118:11 118:15,15 120:4,4,4 121:8 123:1,7 123:8 126:22 127:8 136:21 136:21 139:19 139:21,22,22 141:25 158:21 159:12 160:2,8 160:8,8,10,11 160:17 161:2 162:8 175:6,12 180:20 185:24 191:9,9 194:1 194:11 201:22 205:6 209:12 214:10 215:19 216:11 219:1,2 219:6,23 226:13 233:2,2 233:10 235:13 236:3 238:19 241:13 love 221:4,4 low 59:25 77:24 92:8 94:13 226:13 226:19,19 lower 69:10 95:17 192:16 194:20 195:1 220:6 225:16 226:5	ltl 19:22 45:20 79:20 lunch 140:21 luther 8:13,23 m ma'am 190:21 195:14,17 196:1 198:7,11 199:14,22 200:24 202:12 203:9 204:19 205:12,24 208:15,21 209:2 216:2,4 218:2 220:24 222:7 223:3,8 225:8 227:5,16 227:21 229:8 232:20 233:22 237:9 240:7 machine 1:20 157:18,23 machines 133:17 made 14:13 16:11 17:10 29:2 81:22 82:3,24 84:7 84:12 179:3 186:2 191:16 226:20,20 magnitude 185:25 mail 4:3,9 5:5 32:11 148:17
--	---	---	---

[mail - match]

Page 37

148:18 199:20 mails 200:1,5 main 99:24 116:23 138:18 maintain 51:11 79:21 maintained 33:5,7 35:6 40:24 41:7 42:22,24 66:19 79:24 83:17 107:1 125:25 127:5 137:21 142:12 144:3 169:25 185:13 185:17,21 186:19,22 188:3 197:9 maintaining 18:7 48:21 51:15,16 106:5 131:25 maintains 79:16 maintenance 4:23 19:21 34:4 76:17 101:24 102:11 106:5,23 113:11 143:2 149:5 151:10 151:12 153:18 186:23 187:5 major 73:20 135:17 206:24	majority 65:9 make 23:6,6,10 29:4 33:23 81:15 93:3 125:9 161:4,5 162:12 164:21 193:13,16,19 210:4 216:6 217:22 223:10 223:12,14 226:18,21 236:20,21 maker 129:24 133:17 makes 22:3 78:22 238:24 making 16:10 62:10 109:20 162:5 194:5 201:14 214:22 216:8 manage 62:3,4 131:3 managed 11:1 51:22 131:1,1 131:8,10 management 9:11,13 10:15 11:8 16:7 21:12 61:10,19 64:7 152:5,18 152:23,23 180:1 manager 10:17 10:18 11:7,25	12:25 13:5,16 13:18,21 14:2 14:9,11,12 16:5 61:14,17 61:18 62:6,15 199:2 manager's 35:21 managers 16:8 195:20 managing 13:22 61:16 62:8 manufacturing 19:23 37:17 march 1:11,18 26:9,11,12 53:17 54:23 55:11,17 98:8 169:16 186:15 248:2 250:8 marginally 142:24 mark 30:24 31:14 52:24,25 53:7 55:5,11 78:24 97:2 99:11,12 141:6 146:1 147:20 147:21 154:3,6 170:21 179:11 180:24 183:7,7 184:4 marked 31:17 52:24 53:11	55:14,16 79:5 97:4 99:14 140:23 141:1 141:13 146:2,3 147:22 148:1 154:8 170:24 179:13 181:1 183:9 184:3,6 market 13:9 63:2 64:14,17 70:8 150:8,22 150:23 153:9 163:2 180:5 235:24,24 237:3,7,10,12 237:17,24 238:2 239:6 market's 238:1 marketing 9:12 markets 235:25 marking 53:6 markup 95:9 95:16 192:24 193:7 238:10 markup's 238:12 markups 192:12,16,21 193:3 238:3 marshal 92:16 master's 9:7 mastic 77:15 mat 39:23 match 208:10
--	--	---	--

[matches - mean]

Page 38

matches 76:15 164:17	137:13 138:3 139:4 140:2,14	46:23 47:1,6 47:22 48:4,16	115:21 117:7 117:18 119:1
material 108:3 108:8,10 201:1 201:3,5,6 215:4	143:13,17 146:22 147:17 148:25 149:8 149:25 151:21	48:17,22 50:8 50:16 51:20 53:2,4 56:18 56:19 57:5	119:16,25 120:21 125:4 126:8 127:2,3 128:20 130:23
materials 37:15 67:20 76:12,13 106:23 214:22 214:23 215:3,7 215:8	152:9,10 154:24 167:24 169:2 173:6 183:23 184:13 184:15 186:18	58:5,9,14,20,25 59:1 61:12 62:3,17 65:15 66:1 68:24	130:24 131:9 133:6,23 136:3 136:5,12,20,23 137:19 139:8
mats 33:16 77:8 128:7	186:18,19 187:13,18,19	71:14,14,25 72:3,21 73:5 73:17 74:7,9	141:2,22,25 142:10,20,22 143:3 144:11
matter 6:25 240:2,6	187:21 195:5 196:3 199:18	74:16 75:21 77:1,3 80:17	144:12,13,16 144:24 150:23
mba 8:15 9:9	201:20 205:11	82:15,22 86:21	152:12,20
mcallen 4:10 4:22 5:11 25:4 97:24,25 98:1 98:1,4,6,17,24 103:2,6 104:1 107:5 109:6 110:12 111:23 112:16 113:4 114:5 115:10 117:23 118:22 119:11 120:7 121:19 122:18 123:14 125:13 127:16,20 128:14 129:2 130:3 131:12 132:5,8 133:1 133:14 134:6 135:23 136:17	205:14,23 209:1 211:13 212:12 219:1,8 220:9 222:6,13 223:5 232:18 233:10 243:23 243:24	87:3 88:14,21 88:23 89:7 90:11,18,20,25 91:5,6,15,21,25 92:11,17,19 94:13 97:8,10 98:25 99:20 100:22 101:1 101:19 102:11 103:16 104:15 104:24 105:18 106:11,12,13 106:23 107:20 107:21 109:11 109:18 110:22 111:1 112:20 113:9 114:11 114:18,23,24 114:25 115:1	156:3 158:7,8 159:9,12 162:8 162:23 163:7 166:3,3,5,17,17 166:20,21,25 168:1,15,21 173:3 175:5 176:21,22 178:25 181:5 185:16 187:7,8 187:9 188:5,6 189:9 192:15 193:7 200:18 201:17,19,20 201:21 204:2 206:8 208:10 209:5 210:14 211:12,14 212:13 213:4
	mccoll 97:25 mean 13:3 14:12 15:2 17:16 18:16 25:16 27:8,25 28:19 29:7,22 30:1 33:3,8,9 33:17 34:1,4,6 35:9,16 36:4 37:4 38:24 39:2,6 41:5,22 42:2 44:23		

[mean - move]

Page 39

213:21 216:9 216:10,19,20 218:8 219:5,20 219:22 221:18 229:22 231:22 232:7,13 233:10 234:1,9 238:13 240:13 241:24 244:23 246:14,14,19 means 14:23 240:9,10 meant 117:13 measure 111:10 mechanical 81:19 235:6 meet 92:14,15 115:25 151:22 199:2 241:3 meets 103:19 melamine 42:1 member 22:11 47:2 members 81:10 81:10 memory 212:20 mentioned 28:7 75:24 76:8 114:9 122:25 156:22 190:4 220:12 225:5 233:17 merely 21:11	merge 88:2 92:12 mess 87:4 met 98:20 151:4 198:25 metal 39:1 42:21 43:14 130:16 144:6,7 165:1,10 166:23 179:6,6 209:10 211:22 212:1 233:13 metals 84:24 method 108:6 130:1 midatlantic 252:15 middle 171:13 migrated 73:8 mildew 40:21 58:16 miles 24:12,13 151:21 mill 66:12 67:21 71:24 157:6,15,20,22 158:21 180:13 180:15 227:12 227:14,19 231:19 milling 93:12 157:8,10,11,13 158:10 174:13 174:14 232:4	milling's 157:14 millings 67:22 million 18:23 19:1,4,10 72:24 168:7 millwork 29:13 29:19 41:15,19 215:19 mind 134:10 mine 9:12 16:5 minimum 60:8 228:13 minimus 189:12 minor 201:16 minute 54:8 185:3 minutes 54:13 96:25 241:15 241:19,21,23 miscellaneous 66:1 164:4 misrepresent... 65:7 missed 52:24 57:4 78:12 226:13,15 misses 226:22 missing 30:6,7 33:19 43:25 111:7 112:7 113:15 114:19 115:4 119:6 121:10 159:13	161:8 236:8 mission 17:23 mistake 226:21 mistakes 226:22 mittell 9:24 9:24 10:9,12 12:12 mix 101:14,15 mo 217:7 moist 41:24 moisture 29:18 41:21 48:24 72:10 83:16 mold 40:21 58:16 130:20 130:21 211:16 211:17 moldy 35:4 moment 55:13 224:25 240:15 momentary 242:10 monday 241:23 money 208:7 210:25 month 179:24 180:1 months 64:5 153:4,5 mop 129:14 morning 6:2 63:23 move 12:14 67:16 74:1
--	---	--	--

[move - nose]

Page 40

80:19 90:15 93:6 113:7 118:12 125:17 134:11,11 136:4 140:4 153:11 164:9 164:13,13 172:6 184:12 189:22 194:23 244:1 moved 15:13 178:18 moving 167:8 214:15,16,16 214:19 multipage 147:25 multiphase 192:20 multiple 13:17 113:16 214:19 226:18 musty 35:4 mute 190:15	nearing 239:17 necessarily 163:22 194:12 necessary 47:19 60:8 61:24 62:19 75:13 77:21 81:15 86:5 88:6 94:18,19 162:15 164:21 167:23 219:24 232:5 need 22:1,1,2 23:11 29:10 38:23 43:22 45:2 55:5,8,21 57:2 58:3 59:19 63:16 78:3,4 80:1,5 82:8 104:16 118:17 143:23 151:3 156:11 158:21,21 163:10,12 165:21 176:24 200:9,14 201:15 203:10 208:13 242:4 242:22 needed 142:9 179:18 200:23 223:24 233:11 needs 38:16,18 38:19 43:17,20 58:13 59:12	66:2 75:19 88:11 107:9 117:7 125:9 126:2 128:16 174:12,13 177:19 215:11 220:3 neglect 186:24 neglected 188:13 neither 250:23 never 34:6 39:4 39:5 70:9 94:15 105:20 105:20 107:1,2 225:24 242:4 new 2:19,19 15:23 37:10,15 39:8 47:13,14 47:17 67:1,22 69:16 74:16,25 76:12,15 80:1 80:1 81:13 82:23 84:25,25 87:25 88:2 89:3,23,24 90:10 91:9,25 91:25 92:13 93:20 102:6 128:16 135:16 142:6 144:7 145:21 157:23 158:12 160:24 161:9,13 162:4 162:10,13	163:1 164:20 173:15,19,21 174:5,14 191:2 193:19 207:2,7 207:14,22 208:10 217:7,8 218:16,18 219:3,3 223:15 223:17,21,24 234:13,22 235:2 newer 207:14 nice 209:15 night 8:25 9:14 53:17,20 86:24 89:9 nine 111:18 nobody's 12:21 nolan 2:11 nominally 207:17 normal 185:14 185:19 186:5,9 187:4,14 188:4 188:7 201:1,4 201:8,9,21 203:19,21 206:7 normally 135:19 north 2:6 nos 141:13 nose 45:23 46:13
n			
n 2:1 3:1 6:1 100:19 name 6:4 9:24 116:10 151:14 named 196:3,9 naval 11:15,23 11:23 12:1 navfac 11:15 11:22			

[nosed - oh]

Page 41

nosed 27:16 80:25	226:3,5,6,9,10 226:12,19,22 226:23 237:1 238:15	obviously 14:13,22 29:8 44:19 50:9 69:25 72:7 85:19 86:6 97:15 101:24 106:21 107:9 115:22 122:5 167:4 173:13 175:6 176:1 186:3 187:2 194:20 198:20	195:6 196:3 199:18 200:10 200:20,21 212:13
note 202:13 252:10	number's 226:23	offer 192:6,9	office 14:12
notebook 31:7	numbered 1:17 154:19	24:6 27:10 29:12 32:9 35:21 47:16 58:25 61:15,16 61:17 62:5 64:10 65:8,11 76:6 78:4 82:8 83:11 84:15 99:8 125:21,23 126:7 130:14 134:24 139:18 139:19 160:9 162:24 163:8 163:20,25 164:4,6,8 169:25 170:15 186:3 187:1 200:11,18,21 211:13,17 212:14 218:13 218:14	
noted 53:4,8 203:10 208:22 229:1 232:16 249:6	numbers 23:7 37:25 64:20 79:2 148:23 152:14 153:7 153:25 180:4 194:10,12 205:20	occupied 188:16	
notice 169:2	numerous 123:1	occupying 188:18	
noticed 63:4 85:17	o	occur 87:5,5 occurred 82:1 142:15	
noting 56:22 201:13	o 6:1 116:11 oath 6:13 7:25 object 242:14 242:15 observation 172:3 observations 176:19 observed 27:5 46:19 109:17 observing 166:21 197:7 obtain 9:3 68:21 70:16 obtained 71:1 obvious 37:13 111:15	odessa 5:5,7,10 25:4 169:10,11 169:12,21,23 170:3,7 171:2 171:23 172:1 172:14 174:20 175:24 176:11 177:24 178:21 180:9,12 181:5 184:19,22 187:16 188:1,2 188:16 189:3	
notorious 209:10			
number 4:2 5:2 18:14,18 63:17 65:19 69:5,6 69:11 71:8 76:24 81:21 83:23 84:6 85:18,24 89:1 93:23,24,25 94:6,17 107:13 131:16 152:9 153:17 154:25 155:9 159:8,17 160:1 161:10 162:22 165:8 167:18 180:1 181:7 182:19 182:23 205:19 205:21 218:15 218:16 220:11			
			officer 250:14 offices 1:21 6:10 206:18 offset 51:17 oh 8:20 20:18 49:20 59:3 64:25 101:4 116:9 122:15

[oh - okay]

Page 42

122:15 146:10	57:24 59:9,24	122:16,16,20	163:14,21
146:10,14	61:4 62:21	122:22 123:11	164:9,13,15
147:16 168:13	64:6,6 65:12	123:16 124:12	165:14 166:1
187:16 193:21	65:21 67:4,8	125:12,16,24	167:3,8,14,17
205:16 222:19	67:13,17 68:5	126:5,24	167:21 168:3,9
222:21,21,24	68:12 69:21	127:18,22	169:1,9,10,19
226:15 237:14	70:2,19 74:1	128:9,9,13,25	170:2,6,20
241:19 245:22	75:11,16 78:19	129:11 130:2,5	171:4,8,18
oil 52:8,9,11	80:9,19 81:18	132:10,20,25	172:6 173:7,18
101:16	83:1,21 85:1	133:4,13,21	173:24 174:7
ok 4:3	85:13,16,23,23	134:21 135:22	174:10,18,22
okay 7:19,24	88:5 90:3,15	136:16,25	176:5,13,14,18
8:11,17,22 9:3	91:10 92:2	137:12,15	177:4,19,23
9:8,14 10:8,23	93:6,10 94:12	138:2,5,14,17	178:2,5,10,15
11:11,19 12:8	94:17 95:8	139:2,6,15,17	178:20,23
12:23 13:20	96:14 97:1,18	139:23 140:4,7	179:9,10,15,21
15:8,11 16:1,3	97:19,23 98:13	140:8,13,16,17	179:25 180:8
18:1,12 20:9	98:16 99:10	140:23 141:5	180:14,23
22:4,4 23:20	100:16,20	143:22 144:21	181:3,9,19,21
24:5,11,18,18	101:10 103:1,1	145:1,5,22,25	182:2,10,17,25
24:23 25:5,21	103:13,25	146:13,14,14	183:18,21
26:2,13,15	104:4,21	146:17,23	184:11,14,17
28:3 29:4 30:8	105:14,22	147:1,9,16,19	184:25 186:10
30:17,19 31:6	106:9 107:4	148:11,15,22	186:17 187:12
31:9 32:11,14	109:4,8,16,25	149:1,7,10,21	187:16,24,24
32:16 33:21	110:14,19	150:18,20	188:20 189:2
34:16,17 35:8	111:4,21,25	151:9,14 152:2	189:16,19
36:2 41:1 42:7	112:15 113:3,7	153:11 154:1	195:11 197:13
44:8,12 45:2,5	113:18,21	154:10,21	202:6 203:3
46:14 48:1	114:8 115:9	155:20,24	206:16 211:22
49:12,20 50:2	116:12 117:4	156:9 157:5	212:19,22,24
52:1,13,23	117:22 118:21	158:1,15,17,19	213:22 216:5
53:10,10,15,24	119:3,13,22	158:24 159:17	224:15 229:13
54:12,15,19,25	120:6 121:2,5	160:13 161:25	229:17 235:1
55:16,25 57:18	121:17,25	162:2,18	235:16 238:6

[okay - owned]

Page 43

239:7 240:20 243:6,14,25 244:11,25 245:5,13,16,22 246:1,24 247:2 oklahoma 8:15 8:24 9:4,15 26:2,4 old 37:9 39:3,3 76:13,14 88:2 88:3,4 92:12 102:15 162:7 186:13 207:5 207:22 208:1 older 92:11 174:8 207:10 207:13 once 7:23 13:15 37:9 40:18 57:25 60:4,12 63:14 73:12 83:1 88:17 141:17 142:20 233:20 one's 35:18 120:14 ones 14:14 92:13 103:9 118:13,25 130:13 161:4,5 217:6 243:6 online 82:15 open 114:16 115:1 135:12	opened 242:4,6 opening 135:10 135:11 openings 74:2 75:12 operable 44:1 202:10,14 operating 46:16 56:11 60:10,14 75:14 81:16 93:3 96:19 117:6 118:18 125:10 143:24 158:20 162:16 167:24 177:20 183:3 184:23 186:11 operation's 145:17 operational 17:19 operator 48:2 124:14 138:5 141:19 146:17 149:12 opinion 34:7 72:1 77:24 80:16 102:10 104:16 127:4 145:20 179:18 188:8 207:23 208:12 210:8 211:10 232:3 opportunity 19:13 96:21	98:4 opposed 152:11 240:16 opposing 122:2 option 211:5 228:22 oral 1:10 250:15 orange 126:17 oranges 236:20 236:21 order 158:19 230:20 239:5 ordinary 24:11 71:2,5 182:12 original 56:25 69:14,15 84:2 87:15 204:5,7 246:12 originally 48:22 69:4,9 osha 115:25 116:6,6,16 117:20 outbound 138:20 outcome 251:2 outright 114:19 outs 87:10 outside 75:6 78:1 81:8 84:11 85:1 163:13,16 196:25 197:12	overall 186:18 187:25 192:24 238:15 overgrowth 104:14 107:3 110:6,8,9 113:10 overhauled 87:23 overhead 74:23 74:25 75:1,12 83:6 118:7,7 148:24 160:14 160:22 171:16 overlay 66:12 71:24 73:19,25 93:16 148:10 155:1,15 156:14,17,23 157:1,4,6,7 180:13 227:12 227:15,19 231:19 232:5 overlayment 174:13,14,15 overly 44:6 56:14 oversaw 17:4 overseeing 15:18 16:8,8 17:15 18:7,10 194:6 own 226:24 owned 25:1
--	---	---	--

[owner - penetrations]

Page 44

owner 22:10,12 96:7 215:10 ownership 22:19	paid 239:18 paint 76:14,16 78:10,18 139:10 163:20 164:4 204:11 215:18 paint's 43:5 176:24 painted 42:24 43:18 78:4 163:10,12 painting 29:13 37:1 75:18 77:21,22 78:8 163:5,8,18 164:3 189:10 204:21 236:6 pan 52:9,9,11 panels 43:15 75:10 118:10 118:15 119:25 120:3 122:3 144:6,7 145:9 159:7,18 161:1 161:2 165:12 165:21 179:6 210:20,20 papers 235:13 235:17,19 paragraph 246:1 paratrooped 36:10 park 2:18	parked 27:23 27:24 parking 158:21 180:19 parlay 21:15 part 15:15 41:12 53:6 98:21 142:13 148:16 149:2 183:19 206:2 participated 25:25 particular 9:8 126:24 158:2 175:1 204:22 217:24 236:16 237:20 243:10 parties 250:25 partner 17:10 17:12 18:2 22:13,16 parts 84:22 85:7 88:2,3 161:4 223:13 party 250:19 past 70:11 76:10 80:17 142:15 190:25 191:13,15 192:2 194:8,13 patch 71:11 103:18,19 133:9 205:3 231:9,21	patched 100:3 102:19 patching 71:11 100:4 patchwork 71:9 pavecon 5:8 181:4,9 182:18 pavement 155:1 paving 4:23 27:9 47:23 67:24 71:8 89:25 90:10 98:20 99:3,22 109:3 112:10 112:14 113:14 123:4 148:7 151:10,11,18 153:14,18 170:18 175:12 180:12 181:6 182:19 186:1 186:24 188:11 188:12,13 189:4 225:7 227:4 230:17 232:10 peel 134:3 penetrates 48:25 penetration 244:18 penetrations 132:15
---	--	---	---

people 13:8 22:3 33:15 58:18,19 71:21 77:7 86:18,20 87:2 89:9,13 90:25 105:21 108:5,9 128:7 133:8 168:25 209:12 221:19 221:20 237:21 246:21	permission 198:22 permit 87:21 persisted 130:24 131:4 person 89:18 168:11,18,22 168:23,23 188:25 198:23 199:4 217:13 226:2 personal 77:24 personally 105:19 personnel 199:2 perspective 62:5,5 191:5 pertain 149:7 petal 144:7 petroleum 102:2 phase 29:8 phone 90:15 103:10,12 phone's 190:14 photo 4:11,13 4:14,16,17,19 4:20 32:16 44:2 58:5 105:11 107:7 107:12 109:19 114:12 122:24 126:13 132:14 133:10,24	134:10 137:3,6 139:18 147:7 171:11 172:20 179:2 200:19 203:7 205:19 205:20,21 206:9,13 photo's 122:21 photograph 115:20 photos 33:12 38:2 40:22 49:4 50:8,10 50:11 55:21 56:22 57:2 77:2 78:1 111:9 112:14 121:7 133:12 134:15 138:1 138:11,11 141:23 143:5 143:20 144:22 165:15 172:18 175:8 197:13 199:20,25 200:4,7,8,13,15 200:17,22 205:14 210:13 241:7,9 physically 49:3 pick 206:8,13 238:24 picture 20:16 31:20 32:3,14 41:8 44:13	52:1,20 84:10 85:5 99:18,19 103:4,15,15 110:15 115:10 117:22 123:13 127:15,19 128:13 129:1 130:2 131:11 131:19 132:7 132:25 133:13 134:5 136:16 137:12 138:2 139:3 140:1,13 141:17 171:6 176:10,15 177:5 178:12 178:20 236:9 243:17,19 244:4,22 pictures 30:21 30:25 31:25 32:24 34:10,18 36:8 38:1,23 39:9,15 42:8 45:5,7 50:4 52:17 103:2,9 105:24 111:22 112:16 113:3,4 114:5 118:3,22 119:8,24 120:7 121:6,17,18 122:17 123:18 123:19 125:13 126:6 143:10 143:12,16,19
--	---	--	---

[pictures - preconstruction]

Page 46

145:1 171:2,22 172:11 174:18 175:2 piece 38:6,13 39:1,2 123:22 178:13,25 179:5 212:1 piecemeal 92:18 145:18 162:12 piecemealed 145:12 piecemealing 162:5 pieces 85:8 88:2,3 160:18 160:25 211:22 223:13 pimple 238:12 pipe 38:7,14 58:6,10 59:10 59:13 85:5 pipes 83:9,18 place 37:7 59:1 63:10 64:9 81:5 163:1 placed 178:16 places 19:15 77:25 113:16 172:20 plan 135:4 plane 204:14 204:14 platform 65:17	play 246:22 please 6:16 8:5 8:12 33:2 53:1 190:8,15 248:5 plenum 84:17 135:5 plug 52:9 69:6 87:19 234:2 plugged 69:8 89:1 218:15 plumbers 236:7 plumbing 235:6 plywood 42:2 point 17:19 22:5 24:20 28:13 29:9 37:12 38:9 51:1 59:2 72:14 73:7 80:25 81:25 96:17 100:24 106:10 107:25 110:9 124:4 142:9 163:24 187:10 208:5 211:4 215:23 230:23 231:6 244:22 pointed 147:6 202:5 pointing 126:1 pole 52:6 107:8 233:8	poles 66:8 105:11 111:1 114:13 159:18 233:2,11 polish 128:17 polishing 42:12 pops 45:25 porous 40:17 portion 210:19 portions 39:20 46:24 68:9 portray 172:13 position 27:19 58:22 74:16 possibility 206:16 207:11 210:19 possible 60:12 73:12 83:1 88:17,21 89:6 117:19 130:21 130:25 151:6 166:12,15 211:4,7 220:5 225:16,20,21 228:16,19,25 230:19 possibly 34:4 64:1 85:10 203:13 206:15 post 138:13 postmortem 150:12 151:3 postsecondary 8:12	potential 58:15 130:20 151:2 193:19 194:25 211:16 233:24 234:6 potentially 121:9 210:23 210:25 218:25 pothole 107:23 108:1 109:20 112:21 178:14 potholed 138:24 potholes 100:4 107:21 139:20 potholing 73:21 158:8 pour 106:13 poured 173:16 power 28:10 29:6,10,23 30:6 38:5 52:11 82:1 88:7 89:3 212:5,11 power's 83:14 practically 86:15 practice 213:6 practices 214:9 precious 84:23 preconstructi... 12:19 13:2 15:19 17:16,25
---	--	---	--

[preengineered - production]

Page 47

preengineered 21:4 130:16 165:1,10 166:17,23,24 premises 75:13 prep 145:16 prepare 55:25 56:3 204:15 241:4,6,16 prepared 60:21 146:24 245:9 245:10 preparing 60:16 68:22 147:9 181:25 prepped 43:3 43:18 78:3 176:25 presence 209:3 210:2 present 2:22 22:22 98:16 170:2 198:9,13 208:23 209:3 210:9 212:3 213:16 215:14 president 17:9 17:12 18:2,3,4 22:5,17 presumably 9:19 105:17 pretty 35:24 105:19 114:23 124:6 131:2 137:18 176:23	184:25 223:25 227:18,19 243:7 prevalent 71:22,22 prevent 124:1 preventative 102:11 106:22 111:10 prevents 105:16 previous 44:2 55:1 60:24 63:12 112:5 167:14,17 172:18 price 150:20,22 150:24 151:6 153:9 155:2,6 155:8,25 156:1 156:4,10 162:10 166:9 216:14 236:16 priced 142:18 150:8 166:4 prices 180:5 236:18 pricing 13:14 155:21 192:9 233:19 234:22 234:24,25 237:6 238:17 primarily 64:19 164:8	primary 16:23 primed 43:8,18 78:3 primer 43:8 204:12 prior 23:22 private 13:9 41:11 probably 14:16 14:23 18:12 27:8 43:20 57:9 63:13 78:22 102:11 106:7 111:15 115:25 127:6 128:23 135:17 138:20,21 139:9,11 142:11,14 143:3 160:11 167:3 175:25 186:6 194:14 206:9 212:3 215:9 216:12 216:17 219:23 228:6 229:22 230:23 231:2 235:14 237:17 237:24 245:6 problem 15:6 37:9 39:2 42:6 48:11,14 73:10 73:11 120:20 120:21 212:3 231:4	problematic 121:12,13 197:19 problems 41:16 43:2 62:14 166:13 185:25 procedure 1:24 224:13 procedures 131:2 proceed 190:10 proceeding 251:1 proceedings 3:4 process 17:25 43:7 73:16 78:17 86:20 89:9,15 90:20 93:12 101:25 135:11 142:13 157:14 196:19 196:22 216:11 217:18 221:6,8 221:9,18 234:22 236:19 236:23 240:4 240:24 procure 182:11 produced 1:15 154:15 product 102:3 142:17 production 53:5
--	---	---	--

[products - proposal]

Page 48

products 21:5 105:3 215:18	192:12,15,20 192:20 193:13	properties 24:23,25 25:3	152:10,11 154:12,23
professional 232:3	193:16,23 196:21 213:14	25:6,22 144:1 199:16 212:18	167:24 169:1 169:10,11,13
profile 50:23 102:15 227:19	213:25 218:7 220:23 225:9	232:9 property 5:3	169:15,21,23 170:3,7 171:2
230:18	235:3 239:3	26:5,7 32:18	171:23 172:1
profiles 50:17	241:10 244:21	34:12 37:22	172:14 176:11
profit 94:17,23 95:4,5,9,10	project's 152:22	39:11 42:9,15 46:20 50:6	177:24 178:21 183:2,23
167:18 192:13	projects 10:24 10:25 11:8,9	56:10 60:9,14 81:15 93:3	184:20,22 185:11,12,13
193:8	11:14,15,18 13:18,22 14:6	96:18 97:24,25 98:2,4,7,11,17	186:19 188:1,3 188:16 189:3
profitability 96:12	14:6,7,19 16:12 18:10,14	98:24 103:6 104:2,10 107:6	195:3 205:11 205:14,23
program 9:9	18:17,18,19,21 19:21 70:10	109:6,14 110:1 110:12 111:23	225:4,7 230:20 243:23 245:8
prohibit 8:8	94:21 191:3,3 191:4,16,17,25	112:16 113:5 114:6 115:11	proposal 4:8 5:8,10,11
project 10:15 10:17,18 11:7	191:25 192:3,4 192:7,10 193:9	117:23 118:23 119:11 120:8	30:12 56:21 66:16,17 67:11
11:8,24,25 12:5,25 13:5	194:12,23 196:9 216:22	120:24 121:19 122:18 123:14	67:16,17,20 69:3,7 79:14
13:15,16,18,21 13:25 14:2,9	217:8,17 232:10 234:22	125:14,17 127:16,20	79:23 86:13 88:23 93:10,18
14:11,11 16:5 16:7,8 61:9,13	241:8 promoted 17:9	128:14 129:2 130:3 131:12	97:9 148:9 149:4,17
61:14,15,18,19 61:25 62:4,6	18:3 22:5 proper 34:3	132:8 133:2,14 134:6 136:17	150:10,15 151:9 153:20
62:24 63:12,18 64:3 73:13	108:6 properly 29:10	137:13 138:3 139:4 140:2,14	153:23 165:9 181:4 182:17
86:10 94:11,14 95:15 96:13	45:21 46:25 78:3 93:15	143:15 144:22 147:17 149:8	182:21 183:13 184:12 194:5
149:22 152:5 152:23,24	131:7 160:4	149:25 152:7,9	206:23 210:12
153:3 179:17 179:23,25			
180:2 181:5			

[proposal - quality]

Page 49

210:13 220:8 221:24 228:20 228:22 234:4 proposal's 165:8 proposals 13:10 15:22 18:8 23:8 149:24 150:25 183:19 193:22 194:23,25 220:22 225:13 236:12,12,13 237:16 238:24 241:25 propose 229:21 proposed 71:25 155:13 156:1 proposing 71:9 protect 116:23 116:24 protection 81:22 82:2,23 83:6 provide 21:2 124:2 181:13 199:7,11 213:19,24 227:7 provided 30:15 31:4,5,7 53:20 54:25 145:3,4 184:15 190:25 217:24 228:17 228:19,21	providing 232:5 provisions 1:24 prudent 90:9 151:3 public 11:13,17 12:14 13:7 20:2 publics 11:17 pull 28:17 30:23 31:13 39:13 52:14 53:15 54:6 76:1 78:23 84:21 87:21 91:20 92:23 97:2 99:15 118:13,13 145:13 146:4 183:24 208:17 209:24 233:14 pulled 27:1,2,2 27:4 28:8,15 38:8 43:25 44:2 45:1 58:8 66:5 90:21 114:14,15 125:7,7 126:11 126:12 135:12 159:15 pulling 37:6 77:12 87:3 89:10,13,14,14 90:20,23 91:1 91:7,18,22	134:10 162:24 pulls 204:3 pup 27:15 45:15,15,21 purchase 47:13 purchasing 191:8 purlins 81:11 81:13 166:22 166:24 purports 245:10 purpose 25:5 116:12,14 117:19 198:16 pursuant 1:23 24:2 pursuing 13:12 15:16 push 238:14 pushed 104:12 110:25 159:14 pushing 24:20 172:23 put 8:21 13:13 13:14 23:3 29:10 50:23 64:9,12 67:1 69:6 73:25 82:20 86:13 90:10 93:8 106:14 108:7 115:18 116:15 126:16 137:10 142:6,16	143:23 148:8 149:17 150:11 158:12,13 160:24 162:15 177:20 202:20 204:4,6 207:1 209:13 219:3 220:8 222:10 223:15,17 227:25 228:9 228:14 238:21 243:15 puts 74:15 94:23,24 126:18 putting 13:9 15:17,18,21 23:5 29:11 33:16 37:2 66:12 81:13 84:25 102:1 128:7 144:7 158:12 162:25 205:4 210:11 223:20 pvc 38:6,14 58:6 59:10 85:5 q qualified 44:6 86:12 quality 16:13 214:23 215:7 233:7
--	---	---	---

[quantities - received]

Page 50

quantities 80:14	quite 23:17 51:24 76:17 235:15	rays 51:3,3 101:20 102:5	239:12 240:3
quantity 69:24 160:23 191:24	r	reach 151:17	reason 8:4 59:20 63:6 194:17 212:8 230:3 244:17 248:3,6 252:11
question 8:3 13:4 30:9 40:13 63:11 70:15 71:7 72:19,24 73:4 191:20 193:16 193:21 201:11 201:24 203:24 207:3 219:5 234:23 237:14 242:10,18	r 1:19 2:1 6:1 100:17,17,17 100:19 116:11 250:10 251:9 rabbit 219:20 rain 48:24 49:17 72:11 169:7 raining 196:25 rains 122:6 rainy 197:11 ramp 163:11 random 48:8 49:14,19,20,21 randomly 33:18 rare 94:15 rate 64:14 218:18 237:7 rates 63:2,24 64:17 70:7,8 194:20 rather 48:21 228:22 raveling 100:9 100:11,12,21 100:21 101:6 108:15 112:25 156:18 173:5 174:17 175:16 230:1	reached 151:25 reaction 154:15 154:18 read 80:5 245:19,20 249:3,4 252:9 readily 88:20 reading 155:5 ready 185:4 real 29:1 190:13 191:5 193:23 195:19 195:20 199:9 231:14 235:10 235:10,12 realize 7:25 18:12 154:16 183:22 245:6 realizes 238:25 really 13:22 16:17 19:25 22:22 53:7 126:8,8 137:5 168:19 175:24 178:16 189:3 189:13,13 192:18 211:1,2 215:2 216:12 219:20 220:14 220:15 231:14 235:15 236:3 238:16 239:8	reasonable 80:10 83:23 84:5 85:14 88:10 91:10,11 93:2 95:16 96:17 163:2 166:1 181:22 184:21 237:6 reasonably 142:18 reasons 84:20 221:5 250:22 reath 2:12 6:19 recall 26:3,6 122:12 169:19 169:22 203:8 208:19 222:14 232:19 244:4 recaulk 68:3 receipt 250:20 252:17 receive 70:25 193:13,18 194:4 225:13 received 23:21 23:24 30:14 69:9 79:14 220:21 222:14 223:4

[receives - renovation]

Page 51

receives 94:22	redone 87:13	rehab 232:10	223:18 241:21
recent 48:19	232:15	rehung 45:2	241:22
53:15	reduce 166:9	reinserted	remarkable
recognize	refeed 89:19,21	69:11	137:16,18
243:17	refer 26:4 98:1	reinstall 39:7	138:8
recommend	169:20	44:4	remediated
156:23,24	reference 67:10	reinstallation	82:8
204:6	67:11	227:7 228:23	remedy 137:10
recommenda...	referenced	related 190:7	remember
180:11 227:11	252:6	196:13 212:12	36:24 85:4
245:23	references 67:9	215:6 216:6	133:15 159:6,7
recommenda...	165:9,10	217:2 218:4	161:10 203:16
157:1	referred 25:22	225:3 239:19	213:22 237:8
recommended	44:13 65:24	240:2,6 250:24	237:13 244:16
157:2 204:21	67:4	relationship	remind 226:12
227:14	referring 30:2	20:13 190:18	remotely 2:2
recommending	44:8 161:16,20	195:21	remove 39:7
82:21 157:4	174:4 192:11	relatively 27:12	66:25 68:3
record 1:24 6:3	199:17	191:18	81:1 82:19
6:17 31:10	refined 62:9	relativity 179:4	157:15,20,22
53:4,9 54:15	reflect 56:9	released 82:3	removed 30:5
87:2 97:20,24	147:2 171:25	relevant 30:16	64:13 76:4
143:9 145:23	reflected	reliable 80:3	107:10 126:15
156:25 185:2	150:21 165:5	150:3,8 181:12	158:10
189:24 199:17	reflective 237:6	182:8	removing
205:13 242:25	refresh 78:5	rely 68:17	81:12 210:19
247:2 248:3	refreshed	150:3 181:22	render 110:10
250:15	241:25	182:3,11	renew 93:1
records 182:15	regarding	197:24 198:7	renovate
recover 227:1	149:5 195:15	relying 70:3	219:11 232:10
red 97:13	213:10	remain 212:10	renovating
redo 81:2,10	regardless	remaining	74:15 218:7
86:16 159:20	102:15	62:19 161:9	renovation
232:10	regulations	162:6 196:9,11	191:3 213:3,14
	219:14	196:12 207:24	213:25 214:11

[renovation - responsibilities]

Page 52

214:24 renovations 217:9,10 219:15 repaint 78:5 204:13 repainted 43:8 126:3 176:25 repainting 163:16 217:11 repair 66:2 75:10 89:25 93:1,15 108:7 117:5 120:10 145:12 147:7 155:6,10,13 156:2 189:8 200:9,14 203:11 210:18 213:2 repaired 43:22 75:22 107:22 118:17 125:9 139:21 177:20 200:23 201:15 204:4 224:9 repairing 159:11,11 repairs 55:24 76:24 133:10 147:5 167:23 183:2 211:10 212:25 213:5 218:22	repaneling 165:23 repatchwork 228:17 repaving 232:6 repeat 79:2 206:12 repeating 199:15 rephrase 8:5 190:9 237:4 replace 74:12 76:9,11 82:5 84:8 166:2 223:7 233:11 246:17 replaced 38:17 38:20,23 43:21 76:4,19 118:18 158:11 159:15 160:6 208:14 246:13 replacement 120:10 155:16 156:18,19 165:21 206:23 218:25 219:6 232:22 246:3 replacements 218:22 replacing 37:15 47:16 76:5 77:1 210:22 218:21 224:3	repolished 33:23 report 5:3 154:12,24,25 245:9 reported 1:20 reporter 8:6 30:23,24 31:13 39:13 55:11,16 78:23,24 99:11 146:1 170:21 179:11 reporter's 3:9 250:7 represent 6:20 6:24 representation 32:17 56:12 103:5 104:1 107:5 109:13 110:1,11 representations 37:21 39:10 46:19 50:5 109:5 representative 50:12,13 56:21 66:10 123:4 171:15 172:21 200:18 206:9 206:14 215:15 216:22 represented 50:4 55:21	reputable 70:3 requested 250:18 requests 193:18 require 77:16 117:5 120:10 211:11 217:9 required 62:13 67:22 91:9 198:22 219:16 requirement 116:6 requirements 74:16 116:16 219:12,14 requires 219:3 requiring 133:9 reroof 144:6 149:20 150:14 210:12 220:9 220:12 research 12:7 reserve 12:1 reside 24:8 residential 19:19 resources 21:20,23 193:1 respect 33:21 167:18 191:23 responsibilities 10:18 15:16 16:4,25 17:11
---	---	---	---

[responsibilities - room]

Page 53

17:19 18:5 22:6,8 23:19 responsibility 17:18 95:20 responsible 17:13 62:6 96:11 162:10 216:1 224:3 rest 35:24 164:1 171:5 208:10 restore 34:7 restring 233:13 restripping 67:24 restroom 38:4 resubmitted 69:11 result 187:13 resurfaced 232:8 resurfacing 51:2 retail 19:25 20:1 retape 78:16 retarring 71:12 retexture 78:15 retrieve 54:20 return 252:13 252:16 returned 250:19,20 reusing 86:19	revenue 18:18 19:5 review 23:2,3 25:7 45:6 60:5 88:9 174:25 204:18 220:19 252:7 reviewed 56:6 reviewing 161:11 197:18 221:16 239:19 revised 30:12 56:21,24 69:3 rework 55:19 89:19 158:3,22 rhino's 238:12 rib 43:15 ribs 142:2,3 179:6 ridge 142:3 rigged 129:16 right 6:14 7:19 13:11 15:8 16:10 17:6 23:12,13 31:12 36:21 39:5,6 42:14 52:6 53:6 68:1 69:19 78:19 80:19 83:25 94:3 96:2 100:15 103:13 105:1 107:16 111:15 113:14 114:17 115:15	115:18 117:13 117:25 120:13 122:12 125:5 127:23,25 128:5 129:8,9 131:11 134:25 136:19 138:12 138:25 140:18 142:7 147:24 152:2 159:22 163:22 164:24 165:24 166:4 167:8 169:9 172:20 182:21 185:8 186:17 187:16 191:13 191:22 198:10 202:17 203:11 205:11 210:17 211:12 212:1 213:12 216:3 217:23 233:21 234:19 243:8 243:14 ringing 190:15 rip 87:1 risk 94:20 risks 94:23 209:22 road 97:25 115:2 157:17 169:12 role 20:16 roller 206:4	rollers 120:1,17 rolling 33:16 39:22 40:2 75:10 77:7 roof 36:10 81:13 84:18 130:7,10 132:15 140:20 141:2,19 142:1 142:2,6,17 143:6,12,16,23 144:2,3,9,22 145:21 165:8 165:17 166:2 166:13 167:4 187:5,6,8,8 208:24 209:1 209:11,13,16 209:16,18,24 209:25 210:4,9 211:6 243:21 243:21 244:6,6 244:14,18,24 246:2,3,7,12,17 roof's 144:22 roofs 144:18 145:20 209:10 246:18,22 room 34:20 35:6 133:24 134:17,18 136:21 197:6,7 197:15,15 204:22 206:21 208:4,8
---	---	---	---

[rooms - scope]

Page 54

rooms 206:18	s	sam 148:18	schwob 1:21
roots 106:19,20	s 2:1 4:1 5:1 6:1	samples 215:15	6:10 12:16,24
rougher 187:2	64:20,23 65:1	sanding 43:6,7	12:24 13:5,19
roughly 16:3	65:14	saturated	14:3 18:15,20
18:23 74:24	s4 67:23	243:21 244:10	18:22 20:6,10
105:7 160:19	safe 33:23	244:12	20:15,17,17,22
166:6	46:15 56:11	save 210:25	20:23 21:1,18
round 178:13	60:7,9,14	saving 208:7	22:11,12,14,16
route 180:16,18	75:14 81:16	saw 26:18	53:16 68:5,12
routed 180:17	93:3 96:18	32:17 34:11	68:13 98:19
rpr 1:19 250:10	117:5,8,16	39:10 43:24	150:21 156:1,1
251:9	118:18 120:18	44:2 50:6	164:18 165:5
ruffle 235:17	125:10 143:23	55:20 66:14	170:4 190:17
ruffling 235:13	158:20 162:16	75:21 77:2	190:19,22,25
235:19	164:22 167:24	78:1 80:9,24	191:16 192:6,9
rules 1:23 7:25	177:20 183:2	81:24 85:4	193:9 204:20
run 54:5 58:13	184:22 186:11	103:5,9 109:14	213:6 217:1
89:12 226:23	202:10,14	110:1,12 121:4	220:21 224:2
running 16:6	211:6	130:3 134:6,23	237:3,10
81:11 87:24	safely 95:4	153:19 158:8	schwob's
194:11	safety 62:23	168:1,2 197:19	183:19 222:9
runoff 106:15	116:1,19	206:18	234:21
runs 137:7	117:20 124:7	saying 59:4,18	schwob.com
runway 99:24	197:24 198:5	83:22 157:7	32:12
rust 42:23 43:4	209:3 210:10	167:3 205:5	scooped 108:3
145:9,15	211:11,15	234:8	scope 12:20
163:24 208:23	229:21 230:7	says 61:5 97:12	13:2,13,24
209:3 210:2,9	sag 40:19	97:13 155:15	15:21 23:6,12
rusted 43:16	sagged 36:19	158:3 184:9	23:16 62:10,10
78:2 144:14	sagging 34:24	226:15 246:2	66:14 68:2
145:13 209:11	salvage 28:22	scared 144:12	95:20,21 96:8
209:22 210:21	28:23	school 8:15 9:1	97:14 152:13
rusting 142:1	salvageable	9:15	152:16 155:19
142:21 144:4	91:24	schools 11:16	155:22,22
187:10		11:16,19	156:7 166:8

[scope - sefl]

Page 55

213:15,16,16	140:1 144:12	65:12 69:3,13	244:14,19
213:18,25	153:23 167:13	71:21 77:14	245:5,7,11,22
216:13,14	168:11 197:17	93:25 97:14	246:5,7,21
220:3,17,17	202:8 235:11	100:3,6,22	seeds 176:4
221:12,17	242:25	104:9,11	seeing 44:17
234:3,12 235:8	secondary 27:3	105:10 107:7	46:2 47:8,23
236:1,13,16	27:3	108:8,13,20,25	73:20 107:21
238:16,17,21	section 93:15	109:1,10 110:6	107:21 122:11
238:21	108:11 113:14	111:12,13	133:6 137:25
scope's 23:6	114:16,17	114:1,12	144:25 154:17
scoped 236:23	155:15 159:13	115:24 116:15	185:14 208:19
scopes 191:9	sectional	118:25 122:4,4	220:16 231:12
238:8	155:15	122:10,13,15	231:15
scoping 236:19	sections 75:4,8	123:7,8,22	seek 225:13
236:23 238:23	76:9,11 114:13	124:15 125:6	seeking 15:16
scratch 235:20	153:21 159:12	126:16,17	70:14
screen 31:19	159:14	128:20 129:3,8	seem 23:7
44:23 54:7	secure 63:10,19	130:10 131:14	73:20 162:9
115:19 146:19	security 63:5,7	132:14,14	seemed 223:18
154:11 202:20	63:16,18	136:24 137:21	seems 77:24
224:20 234:17	104:20	138:8 142:7	86:11 117:20
243:16 245:6	sediment	148:19 149:11	137:9 194:11
scroll 138:6,7	106:18 113:13	153:15 154:2	seen 31:25
205:8	176:3	155:3 157:17	48:22 70:10
scrub 127:12	see 28:24 31:18	161:23 162:21	87:4 133:11
scuffing 206:3	33:11 35:9,18	165:3,16	154:13 157:17
seal 51:11	35:19 36:20	166:21 168:15	245:8
66:20 102:1,1	38:25 39:19,19	168:17,18	seeping 40:3,9
102:2 180:18	40:4,12 41:3,8	171:4,15 172:6	sefl 30:23 31:15
180:20	42:23,25 43:2	175:13 176:24	31:15 35:15
sealed 230:20	43:12,13,15,16	178:8 179:7	36:2 39:9,14
sealing 228:17	44:5 46:15,24	184:9 185:21	42:7,16,17
searches 191:6	48:6,7 49:3,13	187:17 205:20	44:10,12 45:5
second 22:11	49:15 52:5,7	214:7 218:9	47:4,21 50:3,5
86:3 139:12	53:11 61:7	239:11 244:6	52:2,2,14,14,15

[sefl - seven]

Page 56

52:20,25,25	147:20,20	sefl00000692	sent 175:10
53:11 78:23	148:12,12,15	4:18	199:20 205:15
79:3 86:3,4	148:16 149:1	sefl00000694	252:14
97:2 99:12,13	149:10,12	4:19	separate 20:24
99:16,17 103:4	151:10 158:25	sefl00000702	217:5
103:13,14	161:17 162:19	4:21	separated
104:6 105:22	164:14,15	sefl00000710	20:21,22
107:11,16	170:22,22	5:9	separates
109:4,9,16,17	171:10,19	sefl00000717	125:20
109:25 110:3	172:6 176:13	5:10	series 8:2 31:15
110:16 111:22	176:14 177:4	sefl00000719	31:15 146:1
112:2,18 113:8	177:23 178:11	5:7	serve 19:15
113:21 114:8	178:23 179:11	sefl00000720	198:17
114:10 115:9	180:24 181:19	5:6	served 190:22
115:16,19	183:7,25 184:5	sefl00000825	service 4:6
117:25 119:23	184:9 243:10	4:8	19:21 79:15,20
121:18,21,21	243:11,15	sefl00000827	80:3 83:10
122:16,20,23	244:1	4:7	149:4,5 164:12
125:18 126:5	sefl00000509	sefl00000843	164:16 181:17
127:18,22	5:12	4:4	182:22
128:10,11,25	sefl00000511	selection	served 79:24
129:11 130:5	4:24	238:24	80:8
131:11,14,18	sefl00000518	selective 27:7	services 20:11
132:7,10,25	4:22	82:25	20:19,23 21:1
133:4,21 134:5	sefl00000528	selectively 75:7	21:13,15,18,18
134:9,12,25	4:10	semester 10:3	22:14,25 67:19
135:1,25	sefl00000679	send 200:4	79:16 150:21
136:16,19	4:12	235:22 236:15	153:9 165:6
137:12,15	sefl00000682	sense 10:23,24	180:6 190:24
138:2,6,14	4:13	14:5 18:13,16	238:1
139:2,15,17,23	sefl00000683	18:19 22:3	set 42:22 45:21
139:25 140:7,8	4:15	50:20 78:22	197:17 235:4
140:25 141:7,8	sefl00000688	191:23 193:12	236:15
141:9,10,10,11	4:16	194:3 234:24	seven 105:7
146:1,5,16			

[severe - sir]

Page 57

severe 71:18 133:6 134:20 140:10 229:2 229:10,15 severely 34:2 77:3 118:11 136:8,10 219:2 223:11 sf 64:20,23 65:1 shang 2:5 6:23 shape 27:12,13 36:25 75:2 126:8,23 143:1 172:5 176:23 177:3 187:2 212:14,15 246:19 share 17:15 239:12 shared 21:13 224:20 sheet 97:9 100:25 236:22 252:11 sheetrock 78:15 243:22 244:9 sheets 81:13 sherman 12:14 shiny 209:16 ship 104:24 shipping 105:1 shocked 88:13 shop 10:14 91:23	short 92:17 140:21 213:2 shorter 27:15 45:16,18 169:24 shorthand 1:21 shortly 9:25 10:7,7 shot 47:23 113:10,17 125:19 132:12 shots 112:10 139:8,14 show 36:8 45:9 48:2 103:15 110:5 111:9 112:2,4 122:20 124:12 131:14 133:4 140:7,9 141:3 154:14 172:16,17 176:14 177:6 178:12 225:24 246:16 showed 84:10 172:18 203:7 225:25 showing 47:7 138:18 141:23 175:9 176:15 shown 38:1 105:24 115:20 171:9 shows 47:5 52:2 99:19	110:4 112:5 113:10,25,25 133:22 141:18 141:24 177:7 shrub 107:8 shut 38:10 sic 65:10 73:6 146:18 230:14 side 12:18,19 17:22 23:1 40:4 44:22 52:5,7 59:25 61:16,19 81:9 87:9 97:10 99:21,23 123:21 125:22 128:5 129:9 135:8 152:18 172:24 177:8 183:15 sides 47:7 122:2,2 sievert 1:19 6:4 250:10 251:9 sign 175:21 252:12 signature 3:8 248:1 249:1,5 250:17,21 251:7 signed 13:15 252:19 significant 48:18 49:9,16 51:25 60:3	73:9 80:14 82:13 90:22 103:20 108:17 120:20,23 126:2 129:18 169:2 177:1 217:10 226:24 231:3 significantly 72:9 74:21 92:20,21 207:5 208:1 220:17 228:3 238:15 silt 106:15,23 107:2 similar 16:4 35:6 99:5 simple 38:25 66:9 106:5 131:2 142:22 179:4 205:4 214:13,14 218:11 231:25 233:3 simplify 236:3 single 118:7 223:24 sink 108:11 129:14,17 sir 7:21 8:1 9:5 9:17,20 10:10 11:20 12:10 20:8,12 23:23 24:4 25:2,13 25:23 26:14
---	--	--	---

[sir - somewhat]

Page 58

28:16 32:13 37:23 48:13 52:12,19,22 54:21 56:5,7 67:7 83:8 103:3 109:7 110:13 114:7 129:22 130:4 147:18 161:21 189:5 243:18 245:12,21 sit 47:11 106:11,16 216:12 site 14:8,10,13 23:14 25:7,16 25:17,19,20 26:4,21,24 27:2,6,7 28:7 50:9,12,14 52:17,21 55:20 55:23,23 56:13 57:16 60:19 62:17,22 63:21 65:22,24 66:3 71:17,23 72:2 89:8,10,20 90:7,10 96:20 96:22 98:20,21 100:1,8 111:12 112:11 114:16 147:4,17 153:11 169:4 170:11,13,17 170:19 173:16	174:5 180:9 186:1 188:9,11 188:11 191:4 195:8 196:6,7 196:18,22,23 196:23 197:3,9 199:5 216:3 217:25 221:14 221:15,22,22 222:5,6,13 223:5 227:9 228:18 229:2,6 229:7 230:8 231:14 232:2 246:16 site's 175:11 sites 23:15 26:23 195:3,16 196:2,10,14 199:13,15,17 199:19 204:16 211:9 220:20 221:25 222:1 227:13 232:4 232:12,18 233:9 239:20 sits 72:22 sitting 44:23 135:6 178:14 178:19 situation 51:24 51:25 76:3 99:5 117:16 178:3 188:10 221:12 225:23	226:8 229:25 six 45:10,13 66:3 194:9 size 18:14,20 51:21 95:7,14 sizing 207:11 207:13 skim 204:8,9,12 204:25 205:3 skip 109:16 115:16 slide 230:3 slider 41:9 slip 51:8 slower 194:9 slowly 138:7 176:7 small 207:24 238:13 smaller 10:14 13:5 72:8 98:15 152:16 152:16,16 169:24 171:13 208:2 230:24 smart 223:19 smell 35:4 40:19 smells 35:3 software 65:18 sole 22:9 soliciting 221:21 solid 100:25 231:14	solution 210:23 213:3 232:2 solutions 252:23 somebody 28:25 30:5 36:9 38:12 39:24 41:11 47:2,3,3 56:3 77:13,14 85:7 87:19 92:22 96:1 105:17 108:2 111:2 112:8 126:14 126:17 134:3 142:12 151:4 151:18,24 168:19 189:13 198:18 203:17 204:3 208:6,8 209:8,11,16,17 214:11 217:13 226:19 237:13 242:4 somebody'd 90:18 somebody's 62:3,4 63:14 64:10 91:18 103:18 113:12 120:22 someone's 190:14 somewhat 35:23 40:11
---	--	---	--

[sorry - standards]

Page 59

sorry 32:5,25 34:16 35:11 53:3 59:3 64:21 67:23 79:2 89:18 101:15 103:14 104:8 111:6 116:4,5 124:24 125:2 128:1 131:16 137:22 146:9,11,17 147:3,14 148:5 157:6 161:24 169:18 174:3 184:17 206:12 221:8,9 222:25 229:4,16 235:16 241:18 sort 11:1 20:14 40:7 81:4 83:7 126:14 129:15 130:7,17 134:1 142:16 156:19 156:22 203:18 204:9 209:13 212:7 245:23 sought 71:1 sound 80:12 sounds 17:3 71:8 83:21 source 80:3 south 169:12 southeast 170:5 195:22	southeastern 1:16 2:10 6:20 8:15,24 9:4,15 23:21 25:1,24 86:9 98:18 143:21 190:18 190:19,22,25 191:11,15,21 192:6 195:11 196:13 199:11 202:9 217:25 218:4 240:25 southeastern's 241:3 southern 164:4 sow 124:12 space 29:14,15 32:10 35:1,2 38:3 39:17 84:16,17,17 163:8 187:1 200:15,18 218:13 219:11 spackle 205:4 span 14:17 50:19,21 51:1 spans 118:9 speak 26:18 87:10 117:10 117:15 207:20 240:25 speaking 13:8 speaks 97:15 special 80:20	specific 9:13 12:2 27:23 50:13 74:6 95:9 96:8 117:2 132:17 138:24 172:20 193:1 195:13 196:9,21 198:2 198:7 201:25 205:1 208:8 212:18 219:19 specifically 22:23 64:10 69:1 88:22 130:15 188:12 189:15 222:2 232:11 233:10 specs 215:4 speculate 41:10 50:22 speculates 226:4 spell 100:14 spend 57:15 62:21 63:19 241:11 spent 239:24 spirit 226:1 split 21:23 spoke 113:23 195:15 241:5 sprinkler 29:20 36:16 58:21,23 82:6 91:16	sprinklers 83:6 83:9 square 65:4,5 65:13,20 109:2 162:24 166:6 216:24 218:12 218:14,16 stage 78:18,18 stained 33:9,19 34:3,21 126:9 136:10 staining 34:23 35:19 133:7 134:20,20 136:22 stains 35:19 132:1 stair 42:18 stairs 42:22 78:2 163:11 164:5 stamp 140:24 217:18 stamped 30:23 31:15 39:14 78:23 99:12 154:4 170:21 stand 64:20 65:3 135:7 standard 183:18 198:7 224:12 standards 92:16 197:24 198:3
--	---	--	---

[standing - subcontractors]

Page 60

standing 137:7 169:3 244:14 start 8:11,17,18 30:20 37:6,9 37:14,15 40:18 40:19,19 42:4 42:16 48:23,25 57:25 59:7 72:20 73:12 74:14 75:18 76:5 77:12 83:2 86:20 88:18 99:17 106:20 141:15 144:17 172:7 197:6 226:14 233:7 started 10:13 57:25 60:4 99:1 177:10,16 197:1 starting 37:11 40:12 42:23,25 96:13 106:3 starts 72:12 106:16 142:21 state 1:20 8:16 8:24 9:4,15 88:1 204:5,7 206:2 219:12 250:11 stated 1:24 8:22 57:24 58:1 168:9 191:21 196:17	198:8 203:13 205:25 214:2 225:12 statements 29:5 states 1:1 250:1 stay 19:16 101:23 228:11 stayed 19:7 steel 20:10,15 20:19,23 21:1 21:2,5,18 22:14,25 117:9 149:18 150:11 150:16,21 165:6 steel's 117:13 stenographer 6:2,14 7:1,4 31:1,6 step 144:19 158:4 stepped 85:11 stint 12:21 stipulated 96:8 stop 28:3 48:6 91:20 110:17 111:14 127:23 127:25 134:14 138:9 141:19 178:8,10 230:4 stopped 128:10 stopping 37:12 stops 111:7,10 111:13,17	112:1,6 straight 49:25 116:2 straightened 117:8 straightening 159:10 strand 105:8 strands 105:9 strauss 2:18 7:12 street 90:22,22 strip 84:22 stripe 126:17 155:1 striping 180:20 stripped 52:8 115:7 203:15 stripping 85:7 86:21 204:21 strong 114:21 stronger 194:19 structural 124:2 235:5 structurally 209:20 211:21 230:16 structure 21:3 116:24 167:4 171:16 structure's 167:7 struggle 205:18	stuck 226:25 241:22 stuff 11:15 17:17 47:16 76:15 86:18 88:25 108:21 133:19 134:19 144:18 158:8 173:25 175:11 186:8,25 189:11 226:13 style 215:16 styled 1:17 sub 69:7 subcontractor 67:5 70:2,5,14 70:16,20 85:21 148:8 150:17 151:8 161:20 164:11 181:9 181:22 220:22 221:7,10 223:4 225:6 226:15 226:22 238:17 subcontractors 62:11 68:9,18 68:22 70:25 95:21,22 149:24 150:4,6 150:8 182:10 217:2 221:14 222:1,5 225:14 227:14 235:9 236:2
---	--	--	--

[subgrade - take]

Page 61

subgrade 73:8 73:22 93:13 100:5 107:25 108:7 112:22 158:13,14 230:14 subject 60:24 submit 217:19 217:19 submitted 30:13 69:4 200:6 subpoena 23:21,24 subpoenas 24:3 subscribed 251:4 subtropical 12:6 successful 14:24 15:1 19:7 successfully 175:24 sucking 135:7 sufficient 71:13 71:15 suggest 82:21 204:21 suggesting 223:21 226:11 suggestion 227:11 suite 1:22 2:12 6:12	sum 96:8 summaries 220:20 233:18 summarize 235:2 summary 4:5 4:22,24 5:7 65:16 146:22 152:3 179:16 233:16 summers 8:21 10:1 sun 51:3,4,19 101:20 super 102:24 superintendent 62:16 superintende... 63:21 superintende... 14:14 supervision 60:22 61:21 146:24 supply 135:5 supposed 233:24 sure 11:2 13:4 14:22 16:10 18:22 23:6,6 23:10 26:21 30:10 56:17 62:10 77:20 79:3 131:18 139:10,11	144:10 163:20 168:24 178:16 179:2 191:2 217:22 224:24 226:18 228:5 231:10 surface 27:10 33:10 34:1 39:21 47:24,25 48:10,12 49:5 49:8,11 50:25 51:15,16 66:13 77:5,9 100:5 100:22 101:21 102:17,23 103:17,21,23 107:24 108:16 109:23 112:23 127:10 136:14 136:23 137:20 139:20 140:10 140:12 156:21 158:16,18 173:9 174:17 175:16 206:5 206:19 209:9 209:19 231:13 231:16 surfaces 33:5,6 35:5 232:12 surprised 60:3 susceptible 29:16,18 42:2 swept 173:1,3	swinging 160:3 switch 87:20 sworn 1:16 7:15 250:14 251:4 system 37:4,10 39:3,3 58:21 58:23 82:20,23 83:2,12,13,19 84:9,9 91:14 91:16,17 92:5 92:6,8,13 93:2 130:14 209:14 systems 29:20 47:13 84:25 90:19
			t
			t 4:1 5:1 tab 161:22 236:22 table 94:25 tack 67:22 126:18 134:1 take 8:6 13:23 14:25 28:22 30:20 37:24 40:18 47:21 49:6,12 53:5 54:8,11 66:23 76:14,16 81:1 81:6,10 88:2,5 94:9,20 96:14 96:18 103:1,1 103:8,14 109:8 110:14 112:18

[take - testimony]

Page 62

113:7,9 114:8	243:1 251:1	201:2,4,8,9,21	143:9 155:7,12
117:25 121:2	takeoff 69:25	203:20,21	155:18,19
129:11 130:5	takes 92:20	206:7 215:12	156:6 163:6
133:21,24	94:24 96:3	tech 53:4	220:7 231:2
138:11,25	210:5,6	technical 87:8	temporary
139:13 140:21	talk 30:15	technician 2:23	62:22,23
143:18 144:21	112:1 141:18	31:13 32:21	152:17
145:1 149:1	141:21 168:20	42:16 44:9	ten 14:18,19,22
153:3 160:18	talked 22:6	50:3 52:14	14:23,24 54:13
160:24 161:3	40:23 73:1	53:2 55:13	111:19 118:8
162:11 166:12	93:24 109:9	79:1 97:2	185:3 207:19
171:1 179:23	128:3 147:6	99:12 115:18	207:19
185:1,2,3	156:5 165:13	124:22 131:15	tenant 173:2
192:20 200:8,8	166:16 173:5	131:20 146:8	tenure 12:3
200:11,13,19	189:10	146:12 171:19	term 10:3,5
202:13,17	talking 20:6	172:8 174:24	15:14 86:14
209:11 218:10	29:12 80:7	176:7 178:6	101:6 108:15
218:13,14	84:9 101:13	183:24 184:2	108:19 112:24
223:12 224:21	112:6 145:12	190:13 202:19	116:4 123:23
233:12 234:16	150:25 185:24	202:21,25	213:2,2 216:7
235:7,8,21,21	213:13 217:10	203:3 205:7	218:5 231:9
235:25,25	222:24 229:16	208:16 224:16	terminal 35:21
236:12,20	235:18 241:9,9	224:19,24	terms 51:18
242:10	241:11	235:10,12	98:23 108:23
taken 1:17	tall 105:4,8	243:9,15 244:1	terrible 202:2
31:11 33:7,19	tampered	245:2,15	test 58:23
40:25 41:7	87:17	technologies	77:14
44:3,14,15,19	tape 78:6,9,13	92:12	testified 7:16
54:17 83:17	203:17	telephone	198:8 229:1,9
85:2 97:21	tdlr 219:12	107:8	237:5 239:20
103:8,10 126:3	team 193:1	tell 22:20 36:11	testifying 195:4
126:4 131:23	teamed 91:5	45:6 54:7 55:7	239:24 242:8
144:3 145:24	tear 185:14,19	94:8 107:18	testimony 8:9
185:6 188:8,14	186:6,9 187:4	109:19 130:6	58:4 190:7
189:13,25	187:14 188:4,7	131:16 135:12	196:8 205:25

[testimony - three]

Page 63

208:22 220:19	49:7,14 58:24	28:4 29:16	210:5,6 212:2
244:13 250:16	76:19 83:7	36:21 44:1	212:11,15
252:9,17	91:15,17	51:23 52:23	214:12 215:9
testing 83:2	103:16 107:20	53:12 55:5,8	215:25 216:15
texas 1:20,23	110:23 112:20	56:8,12 57:7	218:9,24 219:1
1:23 6:12	113:25 114:1	58:1 64:4 66:3	219:6 220:12
12:15 24:6,8	115:7 122:6	69:8,22 71:14	226:4,7 227:16
98:1 151:21	125:4 151:3	72:16 74:24	228:13 229:22
169:12 175:24	162:9 211:18	75:22 76:7	229:24 230:22
219:12,13	212:5,6 219:18	77:2 81:21	230:25 231:1
228:3 250:11	246:23	83:22 84:3	231:25 233:1
251:9	thing's 135:6	86:18 88:12	236:9,14,15
texture 78:9,12	things 23:18	90:21 94:6	237:12 240:17
78:16 215:16	29:19 40:3	95:4 96:12,22	241:20,22
textured	42:4 51:5	99:23 101:6,22	245:7
203:17	56:20,23 58:3	105:18 108:14	thinking 11:2
texturing 78:13	70:25 71:21	108:15 111:8	63:15 157:9
thank 6:14	78:6 86:21	111:15 117:7	244:20
54:16 131:20	87:12 93:24	119:2 120:12	thinks 232:1
224:22 239:14	100:1 104:15	126:25 131:17	third 168:22
243:2	106:3 112:13	134:16 150:20	245:24 246:1
that'd 125:20	117:1 124:13	150:23 151:1	thomas 2:23
125:21	126:12 132:1	152:19 155:9	thorough 211:2
thaw 48:24	133:8 147:5	155:21,24	216:15 233:21
230:12	154:14 160:10	156:7,16	thought 80:10
theft 63:12	163:10,12	157:16 159:9	94:7 137:5
85:4 114:25	168:16,17,24	160:2,4,10,18	162:15 235:18
186:4	191:10 197:4,8	160:19 161:14	242:3
therefor 250:22	197:19 198:3,5	161:22 167:1,6	thoughts
thickness 228:1	201:22 214:19	168:19 172:18	221:16 227:10
thing 11:1	215:19 216:17	177:7 180:17	three 11:9 16:2
26:23 35:1,9	239:11	185:23 189:11	16:2 22:13
35:13 36:21	think 9:11 11:9	194:14,18,21	25:10 57:17,21
39:6 41:5 42:3	12:2 15:5 19:8	197:12 198:18	57:23 62:22
44:22 48:8	22:4 26:22	200:15 201:7	75:17 85:25

[three - total]

Page 64

96:3 105:8	22:15 28:24,25	18:4 22:7	took 9:1 18:4
137:1 157:3	37:14 39:25	today 6:9 7:25	32:2,14,15
196:2 198:9	40:20 44:4	8:9 13:6 24:2	50:7,10,11
199:15,16,19	48:21 51:16	51:25 73:11	66:22,22 81:21
211:8,9 220:20	54:10 62:21	103:9 108:19	86:25 121:7
221:25 227:13	69:4 71:16	154:17 190:7	169:23 171:6
232:4 239:20	72:10,10,14,16	195:4 196:8	171:23 172:11
thursday 26:10	72:16 76:16	239:21 241:1,4	179:2 199:25
26:11	87:6,6 89:17	242:8 245:7,8	200:4,7,15,22
ticked 194:20	90:14 91:19	together 13:10	224:7
tight 233:14	95:23,23 96:5	13:14,14 15:18	top 33:14 61:4
tile 33:10,14	98:21 101:18	15:21 23:3,5	100:5,6,23
37:4,10 38:6	145:6 151:1	37:2 86:13	101:2,7 102:3
38:22 39:7,18	152:24 153:1,2	105:23 107:17	102:4,6 103:23
75:24 77:12,15	154:17 161:6	136:2 148:9	106:4,16,19
128:6 136:13	166:7,8 168:2	149:18 162:12	108:3,12,21
136:14 162:25	192:19,23	210:12 220:8	112:23 113:1
162:25 163:1	193:2,5 199:16	222:11 228:11	128:6,21
206:20 207:12	206:12 211:1	238:21	157:20 172:21
207:13,15,16	220:2,14 226:1	toilets 219:22	175:16 179:1,8
207:16,18	226:14 229:19	told 240:10	206:19 227:25
tiles 33:18	230:23 239:23	242:4	228:10 230:2
34:21,23,24	241:11,13	tom 26:1 98:18	total 4:6 56:15
35:23 36:13,18	242:9 246:22	170:5 195:17	64:23 65:19
37:2 40:11,17	252:18	195:18,19,21	67:3 69:15
76:2,7,21	timeframe	195:23,25	79:15 80:2
127:11 130:14	252:8	198:9,19,22,23	87:4 88:14
132:2 133:20	timely 71:15	199:3,7,9,20	96:15,16 149:4
136:10 207:19	131:1	200:5	153:8 159:9
till 77:11 131:5	times 7:22	tom's 195:22	164:12,16
151:3	123:1 194:9	199:10	168:6 181:17
time 10:8 11:3	205:6 214:10	tomorrow	182:22 186:10
12:4,11 13:18	233:17 238:19	115:7	187:19 189:2
15:23 16:12,25	title 10:12	ton 208:7	189:16 192:25
19:7,8 21:22	12:23 15:23,24		218:14 241:14

[totally - turn]

Page 65

totally 56:18 212:21	123:1,5,6 189:1	true 8:9 32:16 41:1 114:20 249:5 250:15	86:10,10 96:18 99:5 114:25 128:3 130:12
totals 153:25	transcript 250:14,20 252:6,19	truss 130:17	152:7,11
touched 42:24 163:10	transcription 248:4	trust 221:21	185:11 186:10
towards 12:3 125:22 171:12 171:14	transition 207:2,6	try 8:5 44:4 51:17 67:13 89:19,21 92:18 93:25 140:19 142:24,25 144:15 145:18 207:2,6 208:9 209:12 214:8 214:12 215:13 223:10,14 235:1 236:20 239:10 246:17 246:21	187:3 195:8 196:3,3,18 197:9 199:18 201:20 211:21 211:25 212:12 219:8 222:3,5 225:3,7 228:18 229:2,7 230:11 232:18
tower 2:19 52:3	transitioning 207:22	trying 16:22 18:13 28:20 36:23 87:1 103:19 110:5 112:9,11 113:9 133:24 139:13 201:5,6,7 212:11,15	turn 24:23 26:2 30:6 36:2 42:14 45:5 47:4 64:6 65:15,21 75:16 78:19 81:18 83:25 85:23 97:23 103:13 104:6 105:22 107:16 111:25 130:20 135:22 135:25 152:2 154:19,23 159:22 161:17 162:18 169:9 169:10 176:13 177:4 179:11 185:5,9 193:23 195:3 196:16 237:15 239:3 239:15 243:9
track 118:14 119:2 120:15 120:16,17	translates 220:17	ts 37:7	
tractor 104:13	travel 19:13 24:12	tug 87:3	
tractors 52:10	traveling 19:12	tug 87:3	
trade 236:25	treating 16:11	tug 87:3	
tradesmen 151:17	tree 104:14 107:8	tug 87:3	
tradespeople 236:4,8	tried 45:10 99:3 103:18 151:17 160:17	tug 87:3	
traditional 118:5,6	tries 96:4 209:11	tug 87:3	
traditionally 50:19	trigger 219:11	tug 87:3	
traffic 51:4 117:2 138:22 138:25	trim 179:1	tug 87:3	
trailer 27:19 45:15,17,21,23 45:24 46:13 111:16,17,19	trims 179:8	tug 87:3	
trailers 27:15 27:15,16,23,23 43:11 45:8,12 45:16,18 80:25 99:6,7 112:11	trip 86:8 229:23,23,23	tug 87:3	
	truck 91:3 157:19	tug 87:3	
	truckload 19:22	tug 87:3	
	trucks 172:22	tug 87:3	

[turn - units]

Page 66

245:3,15 turned 101:1 197:13 turning 23:8 113:1 186:17 193:22 turns 239:3 twice 7:23,23 two 10:4 20:24 21:12 22:1,1,2 26:23 27:5 44:14,18 45:12 57:19,22 64:22 66:6,12 67:21 67:22 73:19 86:3 96:3 98:15 109:2 110:23 118:10 122:9 137:1 143:25 145:20 148:9,10,12 153:4,5,21,25 155:17 156:13 156:23,25 157:1,4,15,21 157:22 159:23 168:17 174:13 174:14 177:8 178:4 180:13 181:22 192:21 227:15,20 228:14 231:19 246:18 tx 4:10 5:5	type 9:21 11:11 11:14,18 12:17 19:17,20 20:25 21:3,3 25:14 61:24 65:23 67:23 76:3 78:9 83:12,13 83:13,19 90:3 95:6,14 151:5 170:6,12 176:3 190:24 203:14 215:6,11 217:13 types 104:19 214:7 typical 46:6,7 46:12 63:17 94:8,10 105:5 105:7 106:22 134:23 137:4 176:1 196:19 196:22 198:12 213:6,14 218:18 221:2,6 227:18,19 typically 21:8 50:16 105:4 197:2 239:11 u u 222:17 uh 58:11 92:9 96:14 97:18 102:13 110:7 132:18 135:14	ultimately 238:22 unanticipated 233:25 234:1 unconditioned 29:14,16,25 34:25 35:2 76:3 under 7:25 60:21 64:16 65:24 72:18 75:11 97:16 146:24 153:7 159:23 161:22 180:5,9 182:25 245:22 246:7 underlying 167:4 undermine 72:13 underneath 33:16 39:24 112:12 128:8 179:5,7 209:17 understand 8:3 8:4 13:20 16:23 17:21 68:5 83:5 95:19 190:8 191:19 193:15 193:21 201:5,7 204:15 231:11 240:24 242:18 understanding 28:9 92:4	100:21 130:9 198:21 213:24 217:23 228:8 understood 194:2 211:3 215:24 223:23 224:1,14 227:2 unforeseen 90:13 96:9,9 unforeseens 93:17 94:16 unfortunate 46:11 95:25 142:10 186:4 187:11 unfortunately 28:24 45:19 46:6 74:20 87:5 96:4 188:9 194:1 226:1 unique 26:22 27:4 unit 129:16 135:5 148:25 160:20,22 161:14 223:9 unit's 135:16 united 1:1 250:1 units 30:4 47:9 47:10,14,15,17 47:18 57:1,3 84:10,22,23 116:25
--	---	---	--

university 8:24 9:4,15	116:21 138:20 198:5	78:7 82:4,5,7 84:13,22 90:1	veritext.com. 252:15
unknowns 234:11,13	usually 168:11	94:21 99:7	versus 37:10
unoccupied 212:6,9,10	utilities 38:9 62:23	101:17 104:15	65:11 201:8,9
unsafe 198:6,6 210:4 230:6	utilizing 89:20	120:3 122:13	201:15 213:2
unsecured 7:5	uv 51:3 101:20 102:5	126:19 142:2	218:22
upgrades 219:16,24	v	149:24 151:16	vertical 43:15 179:6
upkeep 101:24	v 100:19 252:4	151:16 159:8	vetted 151:24
uplift 209:24	vacuum 135:13	163:12 164:7	vibrating 190:14
urinals 131:24	value 18:19 28:22,23 90:22	172:19 182:6	vice 17:9,12 18:1
urine 132:1,1	90:22 91:5	191:9 206:1	view 26:18 27:9 71:11 117:20
usage 21:20	219:15	215:18 221:5	123:3 124:20
usda 12:6	van 45:17	236:2 241:10	173:7 174:10
use 21:4 28:21 63:10 65:16	vandal 84:20 86:25	vary 152:14 213:1	174:12 181:21
86:14 94:15	vandalism 36:12,15 38:12	vat 207:16	183:1 188:2
101:19 116:23	41:13 86:7	vct 33:10 39:18 39:18,21	222:5
123:23 139:9	vandalized 26:24,25 28:7	207:12 218:18	viewed 121:17 144:1 145:19
144:21 145:21	58:19 88:13	vegetation 110:23 113:19	156:17
160:12 201:11	vandals 28:17 66:6 86:24	113:22	vinus 207:15
214:24 215:7	vari 163:12	vehicle 230:2,4	vinyl 39:18 127:10 207:12
used 47:11 71:1 74:22 100:24	varies 21:19 95:6 191:2	vehicles 117:3	207:16,16
101:20 108:18	192:1 207:13	vending 133:17	virtually 27:25
115:24 116:4	various 18:8 19:15 35:19	vendor 79:16 156:6 166:7	visible 124:1 158:8
133:16 252:19	43:24 50:11	220:11	visibly 168:2 231:13
useful 50:15 246:3	62:7 75:8 76:5	vendors 62:7 62:11 157:4	visit 24:25 25:3 25:6 32:18
useless 110:10	76:11 77:4,25	vent 135:8	55:23 98:4,6
using 39:16 115:24 116:14		verify 23:5 252:9	
		veritext 6:5 252:14,23	

98:11,13,14,17 98:20 103:2,5 169:15,20,22 169:24 170:2 246:17 visited 25:4 26:3,6 52:18 169:13 198:20 visiting 23:15 visits 14:13 visually 166:21 voltage 92:8 volume 21:21	walking 99:1 196:23 walks 209:18 walkthroughs 25:25 wall 33:5 35:5 37:8 40:4,8 47:8 104:10 122:2 125:20 125:23 126:15 126:19 133:25 134:3,22,23 137:8 165:12 165:21,24 203:10,14,18 204:4,8,13,23 204:25 205:1,2 205:4 214:15 214:16,16,19 walls 34:22 35:22 36:24 40:10 75:21 78:7,16 126:10 133:7,8 137:4 137:24 216:20 216:21 217:11 want 20:18 23:10 54:3,7 55:6 57:13 86:14,14 89:4 117:1 134:14 141:3,17 150:15 156:11 184:2 185:8,11 195:3 196:16	200:16 214:4,5 214:6 215:7 221:11 224:20 226:11 241:13 wanted 191:22 233:15 warehouse 172:4 waste 64:7 152:18 water 36:17 40:7 48:25 58:13 72:11,17 72:21 73:7 81:23 83:10,16 83:20 122:6 129:20 130:10 130:18 133:19 169:3 230:10 243:20 waxed 33:7 127:6 way 51:16 53:5 65:18 73:17 76:8 82:18,22 88:1 117:11 128:17 135:19 144:16,19 145:8 160:16 210:17 231:19 231:20 232:12 233:6 238:9 245:16 ways 101:23	we've 20:5 30:14 38:5 40:3 48:8 54:9 64:19 70:10 73:18 76:10 80:16 85:25 93:13 94:14 95:5,25 105:25 106:1 108:18 133:11 136:22 137:25 140:18 143:5 155:8 166:16 216:16 216:16 219:23 232:7,7 234:12 weakest 114:21 wear 103:21 127:8 137:20 185:14,19 186:5,9 187:4 187:14 188:4,7 201:2,4,8,9,21 203:19,21 206:7,17,17 215:12 wearing 103:23 112:24 113:1 206:4 wears 134:20 weather 51:4,9 wednesday 53:17 54:22 169:16 weeds 106:3 175:23 176:4
w			
walk 25:17 55:23 56:13,16 57:21 60:20 96:22 99:4 115:4 144:8 147:4,17 152:4 168:10,12 170:8,8,11,13 170:17 196:22 196:24 197:2,3 197:3,4,6,14 217:25 221:14 221:22 222:1 223:9 walked 25:17 25:17,20 39:24 50:9 99:1,2,3,8 99:8 170:13,14 170:15,15,17 170:18,18 227:9			

week 64:1	wife 94:25	witnessed	96:2,8 97:14
weeks 64:2	willing 239:12	37:21 42:8	105:19 144:15
weeps 72:12	242:19	104:1 107:5	151:5 152:14
weinberg 2:11	wilmington	109:5 111:23	152:16 153:12
6:19 31:9	2:13 24:14,16	112:19 113:4	156:8 157:17
weld 117:17	240:13,14	114:5,15	162:13 163:3
123:22	wind 122:6,7	115:10 117:23	179:17 180:9,9
welds 117:16	209:23 211:24	118:22 119:9	193:10 196:9
went 8:14,14	window 41:9	120:7 121:19	196:11,12
9:14 26:8 29:1	windows 38:3	122:17 123:14	204:1,2 208:6
72:16 74:6	wire 28:21 43:7	125:13 127:16	215:2 223:14
77:24 92:23	44:25 87:1	127:19 128:14	225:14 226:14
98:23 198:25	89:10,21,24	129:1 131:12	226:20 229:23
241:7	90:25 91:21	132:4,8 133:1	234:4 238:8
weslaco 12:5	92:1 105:8,9	133:14 136:17	239:2,19
151:21	110:8,10	137:13 138:3	work's 97:17
wet 83:12,19	114:14	139:3 140:2,14	worked 8:20
130:8 132:21	wire's 91:4	176:10	9:25 10:16
211:14	wires 27:1,3	wood 41:21,22	14:7,12 15:20
wheel 110:17	86:22 89:2,11	130:16,17,18	29:1 70:9
111:7,9,13,14	89:12 90:20,23	160:11 162:7,7	151:11 152:1
111:17 112:1,6	91:1,2,8,8,18	219:2	181:10 191:17
wheels 230:4	91:19 105:12	work 9:21	195:25 221:20
white 209:16	wiring 28:15	11:17 12:17	working 8:14
wide 71:18	28:18 88:25	20:1,25 21:3,3	8:18 9:18,23
115:1 118:8	witness 1:15	43:22 56:15	10:8 14:8
229:14,17,19	7:10 31:5,7,21	59:19 60:4	227:3 231:18
wider 72:23,23	31:23,23 50:4	62:10,12,17,20	works 11:14,18
72:23	79:7 99:18	64:5,9 65:22	12:14 13:7
width 48:19	124:18,20,24	65:23,24 68:2	20:2 21:7
49:9,10 72:4	235:15 250:13	69:16 70:17	54:14 82:24
229:20	250:16 252:8	71:8 78:10,12	140:21
widths 49:16	252:10,12,18	79:20 82:25	world 12:14
231:3	witness's	88:6,11,18	87:11 234:10
	243:11	95:21,22,23,24	234:10

[worn - yeah]

Page 70

worn 33:11,13 34:1 39:21 77:5,9 123:25 126:9 127:9 128:6,21 129:3 129:10 136:13 136:13,23 206:19 207:8	91:1,7,19,22	88:21,21 89:7	149:4 150:9
worries 240:21	yard 99:7	90:11 91:12,24	153:4 156:3,22
worth 12:2 19:10 30:4 64:5 231:1	yeah 7:4 9:10 11:2,13 12:25 13:4 14:10 16:4,14,20 18:22 19:3,5 19:20 20:4 22:23 24:22 26:8,11,21 29:7 30:3 32:6 33:3 35:16 36:4,6 38:18 38:19,19,24 39:6 40:21 41:2,5,22,22 44:18 45:8 46:23 47:1,6 47:22 48:4,6 48:16 50:7,16 50:18 52:3 53:10 54:9 55:19,22 57:13 57:22 58:5,14 59:22 60:6,6 61:12 62:17 65:2,15 66:1 66:10 68:24 69:22 71:14 72:21 74:5,10 75:21 77:1,1 77:20,23 79:10 79:11,14,14 80:11,23 81:21 84:7 85:3	91:24 92:7,7 92:17 93:5,8 94:11 95:3,11 97:8 98:19,25 99:16,20 100:12,13 101:5,5,7,11,12 101:13 104:20 105:5,18,25 106:11 107:12 107:20 109:11 109:18 110:22 113:9 114:3,11 114:23 115:3,6 115:12,21 117:18 118:4,6 119:16 120:13 120:16,21 121:1,23 122:11,15,16 122:22 124:18 125:1,4 127:2 129:14 130:7 131:6 133:15 133:23 134:11 134:16 136:3 136:20 137:17 138:10,14 139:13,16,18 139:24 141:2,5 141:22 142:10 142:20 144:24 146:10 148:20	158:5,6,7 160:2,16 161:16,18,22 162:1,23 163:7 163:19 164:3 164:13 165:22 166:3,11 167:6 167:6 168:1,1 168:13,21 169:5 170:9,9 172:5 173:13 175:5,22 176:12,13,21 177:7 178:25 179:24 182:4,9 184:4 185:2,23 186:14,16 187:7,21,21 188:5 191:2 192:1,15 193:25,25 194:7 195:9 196:21 197:23 198:15 201:19 203:16,25 205:16 213:4 214:3,3 221:18 222:10,20 224:5 225:20 228:24,24 229:11 232:7 234:1 235:1 240:20 241:7
worthwhile 178:9			
would've 139:11			
wow 57:2 73:16			
wrapping 224:18			
writing 62:6			
wrong 27:18 91:21 108:15 223:1 226:10 238:21			
x			
x 3:1 4:1 5:1 214:5			
y			
y 214:6 y'all 134:10 yanked 90:19 126:11 yanking 89:10 89:13 90:24			

[yeah - zuzolo]

Page 71

242:22 244:5,8	york 2:19,19
244:16,22	z
246:14,19	zuzolo 2:17 7:8
year 10:21	7:11
11:10,10 14:17	
19:10 21:20	
50:17,19 51:1	
193:10 194:4,8	
years 9:1 10:4	
10:16,19 11:7	
14:4 15:9 16:1	
18:1 20:19,22	
22:10,13 24:20	
37:14,18 39:25	
87:5,15,16,16	
88:3 102:1	
103:20 127:5	
143:3 186:24	
186:24 187:9	
190:23 191:1	
191:10,14,15	
192:2,21 194:8	
194:13 195:23	
195:23,24	
201:10 209:15	
yellow 1:4 5:4	
6:7,24 27:22	
37:14 43:15	
116:21 154:4,5	
154:20 190:5	
199:1 245:9,15	
250:4 252:4	
yesterday	
30:13 56:24	
72:6	

DELAWARE RULES OF CIVIL PROCEDURE

Part V. Depositions and Discovery

Title V, Rule 30

(e) Submission to witness; changes; signing. When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days after the date when the reporter notifies the witness and counsel by mail of the availability for examination by the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be

1 used as fully as though signed, unless on a motion
2 to suppress under Rule 32(d) the Court holds that
3 the reasons given for the refusal to sign require
4 rejection of the deposition in whole or in part.
5
6
7
8
9

10 DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
11 ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
12 THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
13 2019. PLEASE REFER TO THE APPLICABLE STATE RULES
14 OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.
15
16
17
18
19
20
21
22
23
24
25

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.